

Conflict Management Toolkit



Conflict Management

Toolkit

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Conflict Management - Toolkit Overview

This toolkit contains a set of negotiation, problem-solving and decision making tools designed to help maximize the value of key internal (intra-communal) and external (inter-communal) relationships and is a product of Mercy Corps National program (GPCMI) in all of the Iraqi Provinces. In Feb 2009, with the support of DRL, Mercy Corps began a series of conflict management trainings of practitioners and trainers with its training taking place in Baghdad, Basrah, Sulaimaniya by US and Iraqi Trainers, and the two Train of the Trainers workshops In Partnership with Sulaimaniyah and Baghdad Universities, in addition to the workshops delivered by the Program Participants and Staff.

To date approximately 90 local leaders including provincial councilors, civil society leaders, local government officials, religious clerics, and tribal leaders from All of the Iraqi Provinces have attended the trainings. The participants included mayors, deputy governors, NGO leaders, tribal leaders, religious sheikhs, and local representatives of line ministries (e.g. education, immigration). The overall goal of the conflict management segment of this program was to give the participants a set of tools which will enable them to be better “problem solvers” and trainers at the local level. The main pedagogical premise of the train the trainer component was based on three principles – to absorb new knowledge participants needed time and opportunities to adapt through application

As testified by the experience of dozens of Iraqis trained in GPCMI by Mercy Corps whether in a high stake negotiation over cessation of fire or in the management of a conflict over water supply, these tools will help individuals and teams systematically prepare for, analyze, and address effectively the myriad challenging situations that negotiators regularly face in order to build the capacity of local governance mechanisms and go beyond the “zero sum” which has so often characterized Iraqi politics at the local level.

This toolkit is intended primarily for those who have had some introduction to these tools through working with Mercy Corps CMG and provides:

- A convenient guide to deciding when to use which problem solving and relationship management tool
- A single collected source for negotiation and relationship tools and illustrative stories provided by participants in Mercy Corps CMG trainings
- A quick reference for general purposes, descriptions, and steps for using each tool.
- A real Application on each Tool.

Toolkit Contents

For each tool, you will find a section of this toolkit that includes:

- A brief overview of when and why to use that tool;
- An outline of the basic steps for using that tool;
- Illustrative stories from real context applications as well fictitious Cases as exercises that are depending on real cases factors.
- Some worksheets for further use

Tools and Accompanying Materials

These tools are organized around four key challenges that our Iraqi participants have faced:

- Aligning around issues and decision-making roles
- Preparing for negotiation
- Resolving conflict and solving problems
- Analyzing complex problems and brainstorming effective solutions

The roadmaps on slides attached are designed to help user think about which tools to use in various situations. Over time toolkit users may find the tools useful in a broader array of contexts than those presented in illustrative stories drawn from the immediate experience of Mercy Corps CMG trainees in real Iraqi contexts.

Acknowledgements

Conceptually this toolkit belongs to the interest-based negotiation methodology developed by Professor Roger Fisher and further modified and enriched by a number of his students. Charles Barker, Paul Cramer and Arthur Martirosyan were among trainers for this group of Iraqis. Liza Baran and Alto Labetubun who managed the program during these two years. Structurally and content wise the toolkit could not be produced without tireless efforts of Mercy Corps' Iraq Conflict Management program staff who contributed much of their time to get this efforts a real Professional Product for their long hours of work. Specially Sa'ad Al-Khalidy and his other Great Colleagues in addition to above all. Here we will not miss participants who pushed the limits of creative adaptation of Western concepts to the Iraqi cultural and religious context.



Seven-Element Preparation Tool

Overview of the Seven-Element Preparation Tool

The Seven-Element Preparation Tool provides a systematic way to prepare for important, complex, and possibly difficult negotiations. Preparation is critical to reaching good solutions that maximize value, but time for preparation is often limited. Systematic analysis of the Seven Elements of negotiation — **Interests, Options, Legitimacy, Alternatives, Commitment, Communication, and Relationship** — makes preparation efficient and productive and helps minimize unpleasant surprises.

The Seven Elements are useful in preparing for any situation where two or more parties are trying to reach agreement. For example, if you want a durable agreement that satisfies both parties, then you would be wise to consider carefully your counterpart's interests and yours, along with ways to satisfy them (as opposed to, for example, planning your "opening position" or calculating your "bottom line"). If you want to maximize the value of a negotiated outcome, you would be wise to look for creative options, as well as arguments for allocating value to you. If this negotiation could set an important precedent, you should research relevant precedents and standards of legitimacy that will help ensure a fair outcome that protects you and seems reasonable to your counterpart.

Purposes of Using the Seven-Element Preparation Tool

- To prepare effectively for negotiations where significant value is at stake
- To maximize the chances of achieving a good outcome in negotiation
- To minimize surprises and maximize your ability to deal with your counterpart effectively

Using the Seven-Element Preparation Tool

Step One

Identify the Parties

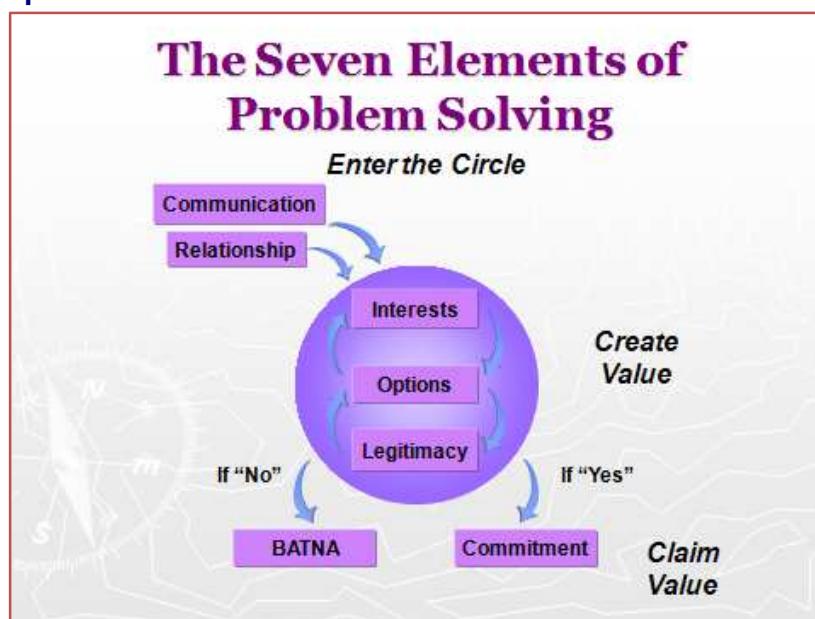
Generate a list or draw a simple diagram of the people who are involved in the negotiation.

Include those who are directly involved (the negotiators) as well as indirectly involved (each negotiator's boss, regulators, senior management, and so on).

Step Two

Identify the Issues

Try to identify the discrete questions or topics that will need to be addressed in the negotiation.





Seven-Element Preparation Tool

Step Three

Work Through the Seven Elements

When preparing for a negotiation, it is useful to iterate back and forth among the Seven Elements rather than trying to work through them in sequential order. For example, it is generally useful to brainstorm interests as a foundation for generating options and then identify some standards of legitimacy that can be used to choose among possible options. Thinking about objective standards and legitimate criteria can often spark new ideas for creative options, and considering how the parties involved would feel about different options, and why, can be a useful way to uncover additional interests.

Seven-Element Preparation Tool



Interests

The underlying needs, aims, hopes, and concerns that shape a person's stated positions or desires

1. Brainstorm your interests (not just what you want, but why).
2. Try to get more specific by asking *why* you care about each interest you identified.
3. Brainstorm possible interests your counterpart may have.
4. Try to get more specific by asking yourself *why* your counterpart might care about each interest you identified.
5. Note which interests are *shared*, which are *different*, and which *conflict*.

Options

The range of possible solutions (and pieces of solutions) on which both parties might conceivably reach agreement

1. Keeping in mind your counterpart's and your interests, brainstorm many possible options for each issue.
2. When you have many pieces of possible solutions, see what packages you can create. Look for high-gain/low-cost tradeoffs.
3. Review your list of options and consider whether there are ways to make them better — revisions or additions you can make to enable the options to satisfy more of your and your counterpart's interests.

Legitimacy

Objective criteria, external standards or principles that can be used to determine the fairness of a possible option or distribution of value

1. Ask yourself what criteria might help determine the fairness of each option (*why* one option makes more sense than something else) or *why* one number would be more appropriate than another to agree on.
2. If necessary, research possible criteria (market practices, precedents, standard operating procedures, and the like) for helping you and your counterpart develop a fair or legitimate solution.
3. Where tangible criteria are not available or applicable, consider some possible fair evaluation processes. (Or, consider what a disinterested third party might decide and *why*.)

Alternatives

Those things that a party would do *without the other's agreement or consent* to meet his or her interests

1. Keeping your interests in mind, brainstorm what you might do if you cannot come to an agreement with this person. Think about both good alternatives and bad ones.
2. Consider which of your alternatives is likely to best satisfy your interests and note that as your Best Alternative to a Negotiated Agreement (BATNA).
3. Brainstorm any ways you might improve your BATNA and enhance your ability to resort to it.
4. Keeping in mind your understanding of your counterpart's interests, brainstorm his or her possible alternatives.
5. Consider which of the possible alternatives is likely to best satisfy your counterpart's interests and note that as his or her probable BATNA.
6. Brainstorm any ways you might limit your counterpart's ability to resort to their BATNA or what you might do to make your counterpart's BATNA less attractive to them.

Seven-Element Preparation Tool



Commitment

The substance, form, and nature of the agreement between the parties (about what each party will or will not do, how they will get it done, by when, and so on)

1. Consider the level of authority you have to resolve this issue.
2. Consider the level of authority your counterpart has to resolve this issue.
3. Draft a framework for agreement, laying out the various issues that need to be resolved and leaving blanks for key terms to be negotiated.
4. Think about what level of commitment you would like by the end of the next conversation (for example, an agreement to consider a few possible options, or a joint recommendation to take back to others). Also think about what kind of commitment you would like to have when this issue is fully resolved (an oral agreement, a written contract, or a handshake).

Relationship

The manner in which those involved in a situation work together; their ability to deal with their differences; their capacity to solve problems jointly; the level of trust that exists between them

1. Consider how well you and your counterpart are currently working together and the strength of your working relationship.
2. Consider the kind of working relationship you would like to have with your counterpart.
3. Diagnose any gaps between the current state of the relationship and what you desire. Assess why there are breakdowns or inefficiencies in solving problems, dealing with differences, or establishing trust.
4. With these diagnoses in mind, brainstorm possible actions you can take to improve your working relationship with your counterpart.

Communication

The way parties talk with one another; the efficiency with which information is exchanged and business conducted; the degree to which mutual understanding is built; how conflict is handled

1. Consider how well you and your counterpart have been communicating to date, any diagnoses for breakdowns or inefficiencies, and any actions you might take to address those causes and improve communication.
2. Consider what information you want to share with your counterpart, for what purposes, and how.
3. Consider what information you want to get from your counterpart, for what purposes, and how. Pay particularly close attention to where you have had trouble understanding the other person's interests — this is a source of important questions.
4. Given the level of commitment you want by the end of the next conversation, plan out a way to structure this next meeting. Consider whether there is a logical order of issues to discuss and plan a possible agenda.
5. Plan how to address contentious issues without compromising your interests or damaging the relationship.



Seven-Element Preparation Tool

The Problem

CONFLICT OVER LAND AND WATER

Wafer Tribe Village and Refgat are neighboring villages in the region of Bargan, separated by about two kilometers. Each village is populated by mixed tribal groups. Wafer's predominantly farmer population is represented by two tribes – Wafer and Shalayik whereas Refgat's mostly craftsmen villagers come from the Alsaraeed and Bu Snaina tribes. Despite tensions, the villages used to cooperate on many social and business-related issues. Due to national-level violence and tensions in the region as a whole there has been little interaction between the villages in recent years, especially after the market in Refgat was destroyed. Relations between the villages are very poor, although an increasing number of citizens would like relations to improve.

Recently, international donors have expressed an interest in aiding reconstruction and reconciliation between the villages in the region, including Wafer and Refgat. However, IDCA as an implementing organization insists that the two villages agree on a joint proposal for any reconstruction project to be funded.

The sheik of the Wafer tribe, Taroot, worked extremely hard to keep the recent violence from expanding further. He is very much interested in the reconstruction efforts begin as soon as possible so that Taroot's constituents can see a shift in the attitudes of both sides, so that the underemployed in Bargan area can get some work, and so that families get back to a more normal pattern of life.

The leadership of Refgat was rather reluctantly responding to invitations from Taroot to meet and find a negotiated settlement to this conflict. However, the possibility of attracting donor funds to boost reconstruction in Refgat and persistence of international mediators helped in bringing them to the table of negotiations.



Seven-Element Preparation Tool

Issues

Land – There are several very large (multi-hectare), level fields located between the villages that remain mostly unused. Most of the land that can grow crops is closer to Wafer. Although the two villages used to share this land, most of the farming was done by Wafers. Because of the lack of security in recent years, this land has gone unused but both villages maintain claims to the land. Any attempt by either village to farm the land is seen as a threat and thus neither side has used the land out of fear that it might lead to violence. Taroot's constituents wish to “reclaim” the land, although they know that there was never any formal, legal ownership. Taroot and members of his Council believe fertile crops can be planted on the land this season if this issue can get a resolution today. If not, they may have to wait until next year. This issue is very sensitive to many in Wafer community because a failure to cooperate on this by Refgat may look like they are purposely trying to starve Wafers.

Water rights – The water pipes that supply water to Refgat were badly damaged during the violence. Taroot has heard that water no longer runs into many Refgat homes. There is plenty of underground water near Wafer as well as a small river that runs alongside the village. The Taroot family control access to the river, and their people need much of its water for irrigation and sanitation. Refgat villagers argue that there is sufficient flow in the river to divert the water to Refgat and then return what is unused to the original stream. But many Wafer villagers ask what guarantees would they have that Refgat would not overuse, pollute, or in some other way impair the use of the water by Wafers. Some young men from Refgat were recently caught just outside Wafer, reportedly trying to divert or poison the river. They were badly beaten. Taroot wants the Refgat Elders to stop the youth from further vandalism before someone gets killed. The current security situation keeps Refgat away from both the river and the wells. Since many of Wafer villagers are farmers who now use the river water, Taroot must handle this issue very carefully.

Following Al-Mukhtar's last meeting with Refgat's sheik, Taroot's team consisting of him and his two younger brothers in addition to previous governmental manager who is from wafer Tribe decided to prepare for further conversations about negotiating a possible joint project with Refgat's negotiators by working through the Seven Element Preparation Tool (See the product of the team's preparation work on the following pages.)



Seven-Element Preparation Tool

The Result

After thinking through the Seven Elements Taroot and Al-Mukhtar felt much more prepared to move forward with negotiation. Among the things that they found useful were:

- Understanding Refgat's primary interests better
- Identifying several creative options that they believed would better meet Refgat villagers' interests
- Equipping themselves with a better understanding of their walk-away point and BATNA and Refgat's
- Knowing what they wanted to disclose and what they wanted to learn in the next meeting

Taroot has requested a meeting with sheik {Gullaby} and is hoping they will get together next week to discuss how Wafer, Refgat and ICDA might move toward a mutually beneficial agreement on a joint project.



Seven-Element Preparation Tool

Practical Exercise:

The Tow Villages:

The Timing:

- 15 Minutes for Groups divisions and reading the Confidential Instructions
- 15 Minutes for discussing the instructions per roles.
- 15 Minutes for pairs' negotiations per roles.
- 40 Minutes for Debrief in accordance with the negotiation results (Agreements or no agreements)

Sigma Council Leader

Two Villages

Alpha and Sigma are neighboring villages, separated by about two kilometers. Each village is made up of distinct tribal groups. The villages used to cooperate on many social and business-related issues. Due to national-level violence and tensions in the region as a whole there has been little interaction between the villages in recent years, especially after the market in Alpha was destroyed. Relations between the villages are very poor, although an increasing number of citizens would like relations to improve.

Recently, international donors have expressed an interest in aiding reconstruction and reconciliation between the villages in the region, including Alpha and Sigma. Each donor insists that the two villages agree on a joint proposal for any reconstruction project to be funded.

You are a leader of the Sigma Council of Elders. You have worked extremely hard to keep the recent violence from expanding further. You would particularly like to see reconstruction efforts begin as soon as possible so that your constituents can see a shift in the attitudes of both sides, so that the underemployed in your area can get some work, and so you can get families back to a more normal pattern of life.



Seven-Element Preparation Tool

You have agreed to meet with a leader from the Alpha Council in order to discuss an agreement regarding a number of issues.

Land – There are several very large (multi-hectare), level fields located between the villages that remain mostly unused. Most of the land that can grow crops is closer to Sigma. Although the two villages used to share this land, most of the farming was done by Sigmas. Because of the lack of security in recent years, this land has gone unused but both villages maintain claims to the land. Any attempt by either village to farm the land is seen as a threat and thus neither side has used the land out of fear that it might lead to violence. Your constituents wish to “reclaim” the land, although you know that there was never any formal, legal ownership. You have members of your Council who believe fertile crops can be planted on the land this season if you get a resolution on this issue today. If not, they may have to wait until next year. This issue is very sensitive to many in your community because a failure to cooperate on this by Alpha may look like they are purposely trying to starve Sigmas.

Water rights – The water pipes that supply water to Alpha were badly damaged during the violence. You have heard that water no longer runs into many Alpha homes. There is plenty of underground water near Sigma as well as a small river that runs alongside the village. You control access to the river, and your people need much of its water for irrigation and sanitation. Alphas argue that there is sufficient flow in the river to divert the water to Alpha and then return what is unused to the original stream. But many of your villagers ask what guarantees would they have that Alpha would not overuse, pollute, or in some other way impair the use of the water by Sigmas. Some young men from Alpha were recently caught just outside Sigma, reportedly trying to divert or poison the river. They were badly beaten. You would like the Alpha Elders to stop the youth from further vandalism before someone gets killed. The current security situation keeps Alpha away from both the river and the wells. Since many of your villagers are farmers who now use the river water, you must handle this issue very carefully.

You are intrigued by the possibility of attracting donor funds to boost reconstruction in Sigma. It may be difficult however, to agree on a joint project with Alpha. Your strong preference for such a project would be a project to support agricultural production and you have already made a suggestion to a donor for such a project. You feel this would benefit both villages by increasing food security in the region. Sigmas have historically relied on farming as a source of food and income. Alphas, who are traditionally strong artisans, have already suggested a project to train weavers, potters and other_crafts people. Villagers in Sigma would strongly oppose a project that gave an economic advantage to Alphas at their expense.

Prepare for your meeting with the leader of the Alpha council. You need to resolve the land and water issues and, if possible, agree on a joint reconstruction project to submit to the donors.



Seven-Element Preparation Tool

Alpha Council Leader

Two Villages

Alpha and Sigma are neighboring villages, separated by about two kilometers. Each village is made up of distinct tribal groups. The villages used to cooperate on many social and business-related issues. Due to violence and tensions in the region as a whole there has been little interaction between the villages in recent years. Relations between the villages are very poor, although an increasing number of citizens would like relations to improve.

Recently, international donors have expressed an interest in aiding reconstruction and reconciliation between the villages in the region, including Alpha and Sigma. Each donor insists that the two villages agree on a joint proposal for any reconstruction project to be funded.

You are the leader of the Alpha Council of Elders. You have worked extremely hard to keep the recent conflicts from expanding further. When some young boys in your community tried to unilaterally divert water from a stream near Sigma two weeks ago, they were caught and severely beaten by Sigmas. Many in your community wanted to retaliate by attacking Sigma. You restrained such violence. You would like to see reconstruction efforts, particularly on the water system, begin as soon as possible so you can improvement in people's attitudes and in the dire conditions under which many are living.

You have agreed to meet with a leader of the Sigma Council in order to discuss an agreement regarding a number of issues.

Water rights – The water pipes running to Alpha were badly damaged during the violence. Water no longer runs into most homes. Both wells have almost run dry. There is plenty of underground water near Sigma as well as a small river that runs alongside the village. You need access to the wells and would like to divert the river so that it flows nearer to Alpha before being returned to the original stream. Sigma currently prevents access to either source of water, which is why some of your villagers tried to divert the stream two weeks ago. If Sigma continues to deprive Alpha of water, Alphas will have no choice but to renew the fighting.

Land – There are several very large (multi-hectare), level fields located between the villages that remain mostly unused. Most of this area is closer to Sigma, though the two villages used to share this land. You should clear up ownership and rights to use this land before any fighting breaks out over it. Sigmas have historically relied on farming as a source of food and income. While none of your villagers currently use



Seven-Element Preparation Tool

this land, you fear that giving it up to Sigma might be perceived as a sign of weakness, would deprive some Alphas of their heritage, and risk future food shortages for Alpha. You need to be careful in how this issue is resolved.

You are intrigued by the possibility of attracting donor funds to boost reconstruction in Alpha. It may be difficult however, to agree on a joint project with Sigma. Your strong preference would be a project to support economic development. Alphas are traditionally strong artisans and have made a preliminary suggestion to train weavers, potters and other_crafts people. Even more important, would be a project to rehabilitate the market in Alpha, which served as a place both to sell crafts made in Alpha, but also to attract agricultural produce from other areas. Since the old market in Alpha was destroyed, it has been hard at times for Alphas to get reliable supplies of food.

Sigma has suggested a project to rehabilitate the disputed land for the benefit of farmers in Sigma. Villagers in Alpha, however, would strongly oppose any project that gave an economic advantage to Sigmas at their expense.

Please prepare for your meeting with the leader of the Alpha Council. You need to resolve the land and water issues and, if possible, agree on a joint reconstruction project to submit to the donors.



Negotiation between the Al-Tom tribe (Muthana) and the Al-Budair tribe (Diwaniyah) over a disputed piece of land

Conflict background and issues:

The conflict over a disputed piece of land occurred between two tribes from two different governorates – Muthana and Diwaniyah. The land is located in Al-Budair sub district in Diwaniyah Governorate where Al-Budair tribe lives, while the irrigation comes from Rumaitha district in Muthana Governorate where the Al-Tom tribe lives. Thus it is essential for both tribes to maintain good relationships in order to benefit from each others' resources. During the Saddam regime the Al-Tom tribe had a contract with Diwaniyah Local Government Agricultural Department to use the land, but it expired in 2003 and was never renewed. Nevertheless, the tribe continued to use the land. On the other hand, in 2008 the Al-Budair tribe signed a contract with the Agricultural Department in Diwaniyah, which gave them legal authority to use the land. This caused a conflict between the two tribes. The Al-Tom tribe in Muthana was threatening the Al-Budair tribe from Diwaniyah in order to make them to refrain from using the land. The Al-Budair tribe filed two claims against the Al-Tom tribe: (1) for illegal usage of the land; (2) for armed attacks by members from Al-Tom Tribe in Muthana. As a result the court issued two decisions: (1) to have Al-Tom tribe in Muthana pay 450,000,000 IQDs as compensation for using the land illegally and preventing them from using it in the future; (2) to arrest the person who has started the attack and the armed threat against Al-Budair tribe members.

CM participant's role:

The GPCMI project participant, Mr. Hatim Hussien Alwan, Rumaitha Mayor in Muthana, played the role of a mediator in this conflict and worked with the Diwaniyah negotiation committee assigned to resolve the conflict. His legitimacy was ensured through his official appointment as head of Muthana negotiation committee by the Muthana Governor. This did not mean that he was representing Muthana tribe; rather he was an unbiased representative working with the negotiation committee from Diwaniyah. Both committees were working together on mediating the conflict between the two tribes.

Negotiation process tools used:

During the negotiation process the **Seven Elements Tool** was used, which included analysis of the relationships of the parties, their interests, communication, alternatives, criteria of legitimacy, generating mutually acceptable options that would lead to an agreement and commitment.



Seven-Element Preparation Tool

Element 1. Relationships: Prior to the conflict the relationship between the two conflicted parties was calm, although the Al-Budair tribe felt that they had more eligibility to use the disputed piece of land since it was part of their area. That's why it was a great chance for them to legitimize their right through signing a contract with the Diwnaiyha Agricultural Land Department. Signing of this contract has lead to a conflict with the Al-Tom tribe, who considered it to be humiliating and a challenge of their reputation. Some of this tribe's members attacked the Al-Budair tribe and threatened them in order to prevent them from using the land. In response, the Al-Budair tribe went to the court to file complaints against the Al-Tom tribe. It was clear that the conflict was escalating.

Element 2. Communication: Because of the long-lasting conflict there had been no communication between the two conflicted parties for a while. The local governments from the two governorates made an attempt to start communication between the two sides, they sent a representative from Muthana to meet with a representative from Diwaniyah, but it did not lead to any positive results and the communication process failed to start at that time.

Identifying Neutral Negotiators. After the Mayor of Al-Rumaitha District in Muthana attended the first Mercy Corps Conflict Management workshop in Basrah, the Muthana Governor asked him to set up a negotiation committee and work with the Diwaniyah negotiation committee on the land conflict between Al-Tom and Al-Budair tribes. Both negotiation committees included mayors, representatives of Local Agricultural Land Departments, and representatives of the Irrigation Departments from both governorates. Forming these committees was the first step in establishing communication between the two parties. Each committee made field visits to talk to the tribal representatives, after which they set up appointments with each other to discuss the findings.

Opening Communication in an Unbiased Manner. The communication process was initiated by Hatim, the GPCMI project participant. He contacted the Al-Budair Mayor from Diwaniyah after being officially appointed as a representative of Muthana Governorate. At the same time he started communicating with the Al-Tom tribe from Muthana. After talking to Hatim, the Al-Budair mayor has asked the Diwaniyah Governor to establish a negotiation committee similar to the Muthana's one. He also started communicating with the Al Budair tribe in order to learn about the conflict's origin, the parties' positions and interests. Thus the two committees have played the same role within each tribe, which made their findings equally legitimate. Due to having two equally legitimate representatives, the two tribes expressed readiness to sit at the negotiation table in spite of having strong win-loose feelings after the court resolution (the Al-Budair tribe from Diwaniyah was considered to be a winner and the Al-Tom tribe considered itself to be a looser).



Seven-Element Preparation Tool

The negotiation committees worked with each party to compare and discuss the results of their studies of the conflict, the expected outcomes of the negotiation process, its position, interests, options, best alternatives to negotiated agreement, thus preparing both tribes to conduct a productive negotiation process.

Element 3: Parties' interests:

Diwaniya Al-Budair tribe's interests:

1. Using the contracted land for farming.
2. Guaranteeing that no attack or threat is exercised against them.
3. Receiving the compensation amount assigned by the court.
4. Avoiding conflicts with the other party in order not to give any chance for any other party to use such kind of conflict against the tribe in the future.

Muthana Al-Tom tribe interests:

1. Canceling the court claim against one of their tribe members.
2. Avoiding paying the compensation.
3. Having the land issue solved in accordance with the tribal tradition through a tribal agricultural arbitrator.

Element 4: Standards (criteria, legitimacy):

The Al-Budair tribe from Diwaniya has a legitimate right to use the land due to a signed contract with the Agricultural Department of Muthana.

The Al-Tom tribe from Muthana was using the land in accordance with a legal, but expired contract. They continued to use the land past the contract date. They also thought that controlling the irrigation water supply in their territory gave them sufficient authority to continue to use the land. Their control of such an important resource would make any other parties hesitant to interfere due to a fear of losing access to irrigation water for their crops.



Seven-Element Preparation Tool

Element 5: Best alternative to the negotiated agreement (BATNA):

In case of failure to come up with an agreement, the Al-Budair tribe's BATNA was to continue defending their position in the court. The Al-Tom tribe's BATNA was to prevent Al-Budair tribe from using the only available irrigation water source which is located in their land. Both sides evaluated their BATNA's as weak ones therefore considered it best to continue their negotiations and achieve a mutually beneficial agreement.

Element 6: Options of the parties

The process of developing the options that would satisfy the interests of both sides was mediated by Rumaitha Mayor (the GPCMI project participants) and Mayor of Al-Budair. The negotiation session had representatives of each of the conflicted tribes and mediators from both sides. The conflicted parties were asked to come up with their suggested options first. The mediators discussed each of the options with each party separately. Before meeting at the negotiation table, the options below were discussed with both parties:

Al-Budair tribe:

1. Postponing the court trial against the Al Tom tribe member who attacked the Al Budair tribe until after trying to resolve some of the other issues. Potentially cancelling the charges if an acceptable agreement could be reached on the land issue. Part of the acceptable agreement would include the Al-Tom tribe agreeing to pay for the lawyer and other court costs associated with the process and apologizing for the attack.
2. Using the land in accordance with the legal contract.
3. Having each tribe guarantee that its members will not take any hostile actions against the other tribe.

Al-Tom tribe:

1. Having Al-Budair tribe cancel their court claim after recognizing their member's hostile action to be a mistake.
2. Having Al-Budair tribe cancel the compensation claim and then resolving the land issue by having a tribal arbitrator judge it.
3. Guaranteeing that no one would attack or threaten any of Al-Budair tribe in the future.



Seven-Element Preparation Tool

Negotiation: After analyzing all the suggestions and opinions from each party the negotiation team identified the options that would lead to an initial agreement between the two tribes. This negotiation session lasted more than 6 hours, but resulted in considerable progress towards achieving an agreement between the two tribes and building trust between them. The following options were recognized to be mutually beneficial:

1. Canceling the court charges against the Al-Tom tribe member and having the Al Tom tribe pay just for the lawyer and other court costs associated with the process and apologizing for the attack.
2. Using the land in accordance with the latest legal contract.
3. Having each tribe guarantee that its members will not take any hostile actions against each other.

Element 7: Commitment:

Both sides agreed to sign the agreement in the presence of Rumaitha district Mayor, Najmy subdistrict mayor, Al-Budair subdistrict mayor, the Head of Lands Department in Diwaniyah and the representatives of Agricultural Department in Najmy subdistrict in Diwaniyah. The agreement stated the following:

1. During the next two days one of the tribal arbitrators will visit the tribes to discuss the options developed during the negotiations and legitimize them.
2. The tribal arbitration has to be on all the conflict issues.
3. Regarding Yousif Noman (the member of Al-Tom tribe in Muthana who attacked Al-Budair tribe) it was agreed to:
 - Try resolving the issue without going to court through the tribal arbitration first.
 - If the first option fails, to cancel the court appeal in accordance with the legal regulations.
4. Even if the arbitrator decides that the 450,000,000 IQD should be paid by Al-Tom tribe in Muthana to Al-Budair tribe in Diwaniyah, both tribes agreed they will not pay it except the lawyer expenses which are 5,000,000 IQD.
5. Yousif Noman will be obligated to attend the court proceedings as a witness to prove that Al-Budair's claim was legitimate.
6. The tribe of each party will promise to be the guarantor of applying this agreement.



Seven-Element Preparation Tool

During the tribal arbitration, the representatives of the Al-Budair tribe started expressing their interest in maintaining friendly relationship with the Al-Tom tribe, so they decided not to take the 450,000,000 IQD of compensation. They also cancelled the court claim for the sake of the good relationship and in hopes of avoiding any hostile actions between the tribe members in the future. In return, Al-Tom tribe showed their appreciation for these decisions and agreed with the Al-Budair tribe's right to use the land in accordance with their contract. They also agreed to cover the Al-Budair's court expenses in the amount of 5,000,000 IQD.

Both of the conflict parties committed to the above agreement in the presence of the two negotiation committees from Diwaniyah and Muthana, their tribes' sheiks, representatives of the Irrigation Departments, and representatives of the Agricultural Lands Departments. In addition, the initial agreement had a certain timeframe for settling the conflict and a clear plan how they would proceed. The agreement has been also ratified by the local government in Diwaniyah through a formal letter.

The Seven Elements Worksheet that has to be filled whenever we need to apply the seven elements tool:

SEVEN-ELEMENTS PREPARATION WORKSHEET			
PARTIES/ISSUES	INTERESTS	OPTIONS	LEGITIMACY
Related Parties (Counterparts, constituents, and others who may affect the situation.) Consider drawing a diagram	List individual and organizational interests, needs, concerns, hopes, and fears OUR INTERESTS:	List possible options for each issue or major important interest, looking specifically for options that might meet both parties' interests acceptably. Issue #1	Identify objective standards and principles of fairness that might suggest plausible, non-arbitrary ways to resolve conflicting interests and choose among possible options Issue #1
Important Issues (Subjects that need to be addressed)	THEIR INTERESTS:	Issue # 2	Issue #2
1. 2. 3.	Interests of Others Who May Need to Agree	Issue # 3	Issue #3



Seven-Element Preparation Tool

SEVEN-ELEMENTS PREPARATION WORKSHEET			
ALTERNATIVES	COMMITMENT	RELATIONSHIP	COMMUNICATION
Your Alternatives to a negotiated agreement (Mark your BATNA)	Elements of a framework for agreement at the end of a negotiation	Current Preferred	Plan the Meeting Meeting purpose Questions to ask/ Things to listen to
Ways to improve your BATNA	What authority do you have? What authority does the other party have?		Desired products Information to disclose and ways frame persuasively
Their Alternatives to a negotiated agreement (Mark their BATNA)	What level of Commitment do You want? Expressing views? Generating options? Joint Recommendations? Tentative agreement? Signed deal?	Possible diagnoses for any gap: In light of these diagnoses, what specific steps might you take to move the relationship toward the preferred state?	Who should be there? Assumptions to test Appropriate process How will you deal with conflict when it arises?
Ways to test or, if appropriate, worsen their BATNA			

The Training Materials:

1. South Africa Video (Attached with the Book)
2. The PowerPoint slides (attached at the end of the Book)
3. Real cases of interventions (Attached at the end of the Book)



Be the change



Circle of Value Approach to Problem-Solving

Tool No. 2

The Circle of Value Tool



Circle of Value Approach to Problem-Solving

Overview of the Circle of Value Approach to Problem-Solving

Typically when parties with different interests, aims, and concerns need to reach agreement on how to address a problem or resolve an issue, each person jumps quickly to what they think is the right answer or best solution. From there, the process becomes a concessionary haggle between opening positions — a dynamic that often leads to suboptimal, arbitrary, lowest-common-denominator solutions as well as damaged relationships.

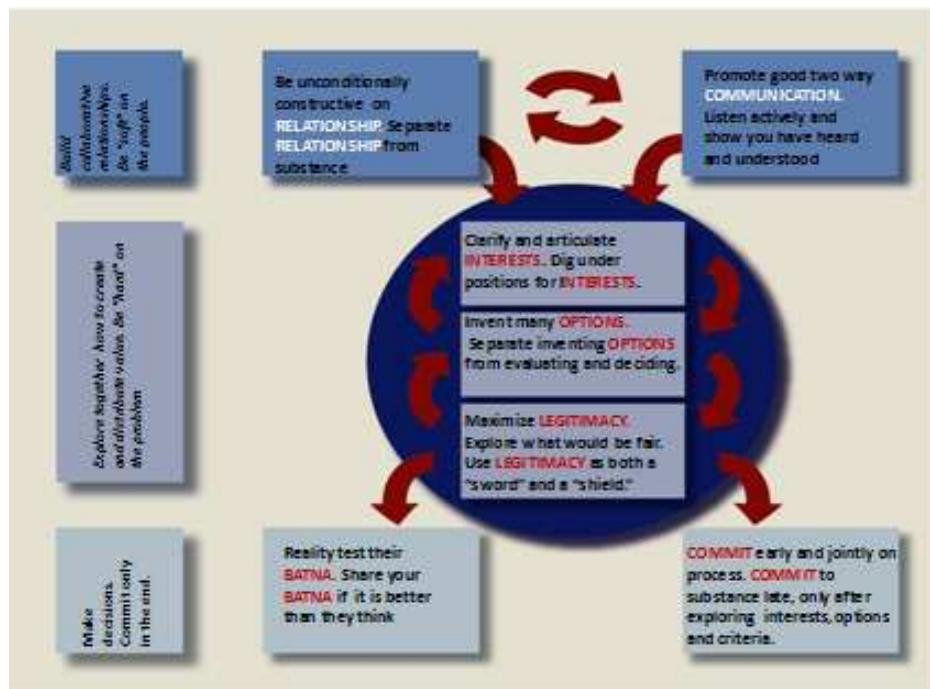
To achieve a good outcome, use the Circle of Value Approach to Problem-Solving to engage in a collaborative process of exploring interests, brainstorming creative options, and thinking through possible criteria and standards of legitimacy. Rather than beginning with commitments, postpone them to the end, after creating as much value as possible and thoroughly exploring the merits of various approaches to resolving issues in conflict. A guiding principle should be that nothing is finally agreed until everything is agreed.

While the Circle of Value can help you have a productive, value-optimizing conversation, there may be times when you and your counterpart will reach an impasse. On such an occasion, consider using the Circle of Value Approach to Problem-Solving Worksheet to help you spot, diagnose, and change the dynamics at the negotiation table.

Purposes of Using the Circle of Value Approach to Problem-Solving

- ✓ To help negotiators make wise decisions about whether and how to move forward together
- ✓ To help negotiators capture the maximum potential joint-gain value in negotiation

To help negotiators pursue good substantive outcomes and deal openly with disagreements in ways that still maintain or improve the working relationship





Circle of Value Approach to Problem-Solving

Using the Circle of Value Approach to Problem-Solving

As you prepare for and conduct negotiations, keep in mind the image of the Circle of Value, illustrated on the following page.

Step One

Facilitate good two-way **Communication**

- Discuss process first (how you will work with each other to resolve the conflict).
- Explain your reasoning and inquire about the other party's.
- Listen and show that you have heard.

Step Two

Separate **Relationship** and substance — deal with each on its own merits

- Be unconditionally constructive about the relationship (do those things that are good for you and good for the relationship, whether or not the other side reciprocates).
- Treat your counterpart as someone worth listening to.
- Do not make substantive concessions in an attempt to "buy" the relationship or to make the other party happy when they are upset. This is a form of appeasement and will likely encourage them to continue undesirable behavior. Without saying their view is wrong, do not agree on substance unless you are persuaded.
- When possible, consult with others before deciding.
- Speak for yourself, not for others. You can share the impact of the other party's actions on you, but avoid attributions about the other party's intent or about their character.

Step Three

Draw out and clarify **Interests**, not positions

- Rather than react to positions, probe for interests — ask "why?" or "why not?"
- Share some of your interests and test your understanding of the other person's.
- Solicit criticism of possible options. It can be easier for someone to criticize a possible solution than to state their interests directly, and it is usually simple to see the underlying interests embedded in any criticism.

Generate **Options** for mutual gain

- Jointly brainstorm multiple options.
- Separate inventing from evaluating and deciding.
- Try to offer possible solutions, not just problems. Explain your reasoning.
- Distinguish between options (the range of possibilities on which parties might reach agreement) and alternatives (those things that each party can do without the help or permission of the other).



Circle of Value Approach to Problem-Solving

Step Five

Use objective criteria to maximize both parties' sense of **Legitimacy**

- Research possible standards and precedents to use as a “sword” to persuade.
- Say things such as, “All I want is what is fair and usual.”
- Use legitimacy as a “shield” to protect yourself. Ask what would make an option fair or defensible.
- Ask things such as, “Why?” “Based on what?” “Why that number?” “How will I explain this to my constituents?”
- If necessary, look for fair procedures (such as flipping a coin or taking turns).
- Consider reciprocity: look for standards or precedents that would seem fair whichever side one was on.
- Demonstrate that you are open to persuasion — or else why should your counterpart be?

Step Six

Acknowledge **Alternatives** to agreement

- Frame the discussion as an effort to do better than your respective BATNAs.
- Consider sharing your BATNA, especially if it seems to be much better than the other side thinks it is.
- Consider reality-testing their BATNA. If the other person seems to be overestimating his or her BATNA, ask questions and share concerns to test the foundation of your counterpart’s confidence.

Step Seven

Make **Commitments** with care after learning all you can

- Commit early to key process points (such as no commitments until the end and nothing is agreed until everything is agreed).
- Review your understanding to ensure that both parties have a common picture of what the commitment entails.
- Consult with others, as necessary, before committing.
- Make sure commitments are realistic, operational, and sufficient.
- Ask yourself if the agreement has the necessary detail to be implemented. Imagine the implementation process step-by-step to make sure you haven’t left anything out that needs to be agreed upon.
- Commit to an agreement only if it is better than no agreement.



Circle of Value Approach to Problem-Solving

Circle of Value

The Cost of Water Purification System

The Problem

{Mahmut} Taroot, one of Wafer sheik's younger brothers, is in the middle of a meeting with Jabrail Jabrail Refaq village's counterpart in negotiations to discuss terms of the proposed joint project. The two have been in a room together all morning, had several rounds of tea and the meeting is not going particularly well. Just a few minutes ago, their conversation sounded like this:

Mahmut: "So we value access to our water at 4 million (Nabaki Pounds) a year."

Jabrail: "Mr. Mahmut, we've already talked about this, and I told you that we cannot possibly see how it can be more than 1 million."

Mahmut: "Fine, we accept your valuation but you will have to contribute a lump sum amount of 6 million to the construction of a water purification system."

Jabrail: "None of the villages in the entire Bargan and may be even Nabak have purification systems that cost even half that much."

Mahmut: "I do not care what they do elsewhere. If you want access to our water, it is going to cost you that much because that is the price of the best systems in the world and the Wafer tribe won't take anything less than that."

Jabrail: "Mr. Mahmut, there is no way we can or are going to pay that amount, and you know that."

Mahmut: "If you do not pay that, I am afraid without water purification systems in place Wafer villagers won't agree to sharing our water with you."

Jabrail: "Well, in that case you leave us no choice but to block Wafer's access to the land between our villages. Oh, and by the way, I hear that deep water wells can be drilled on our land to get *your* water..."



Circle of Value Approach to Problem-Solving

Each time they have met, Jabrail has been pleasant at the beginning of the conversation, but things soon become uncomfortable and confrontational. Mahmut feels well prepared to discuss this issue with Jabrail and is sure there is an agreement to be found if he could manage the negotiations at the table more effectively. ICDA's representative in the region, Bill Williams, has made it clear that if Wafer and Refaq cannot come closer to an agreement on terms of the joint project, ICDA may consider its alternative of funding other villages in Barang or in another region of Nabak. Although Wafer doesn't want to give in to threats, it is important to get a good deal completed soon. Mahmut is determined to break through to Jabrail, if at all possible. He just asked for a half an hour break, during which he called his older brother, sheik Taroot, to talk through how the Seven Elements are being used in the discussion and plan how he might get the conversation on the right track. (See following pages for the product of their work on the below Circle of Value Approach to Problem Solving Worksheet.)

CIRCLE OF VALUE APPROACH TO PROBLEM-SOLVING WORKSHEET				
	COMMUNICATION	RELATIONSHIP	INTERESTS	OPTIONS
I. Spot How, specifically, are you and your counterpart using (or not using) this element in your discussion?	What patterns of communication are you and your counterpart falling into? How do you each react when things get difficult?	What kind of working relationship is there between you and your counterpart? How does it manifest itself?	How do each of you express your interests and find out about each other's interests?	How do you bring up and discuss options with your counterpart? How do you each react to options suggested by the other?
II. Diagnose Why might you and your counterpart be using the elements in this way? <ul style="list-style-type: none">• Causes• Purposes• How are you contributing?				
III. Change How can you change the game by <ul style="list-style-type: none">a) Changing the way your counterpart is using this elementb) Changing the focus to a different elementc) Changing your own behaviors	How might you promote good two-way communication? How could you show that you have heard and understood?	How might you ensure that relationship issues are disentangled from substantive ones? What might you do to improve relationship?	What could you do to further articulate and clarify your interests? How might you effectively dig under their positions for interests?	How could you and your counterpart invent more creative options? How might you invite your counterpart to brainstorm with you?



Circle of Value Approach to Problem-Solving

CIRCLE OF VALUE APPROACH TO PROBLEM-SOLVING WORKSHEET

	LEGITIMACY	ALTERNATIVES	COMMITMENT
I. Spot How, specifically, are you and your counterpart using (or not using) this element in your discussion?	How are you and your counterpart using criteria to distinguish among the options under consideration?	How do you and your counterpart discuss what you each might do away from the table? How do threats sidetrack the conversation?	How do you and your counterpart ask for commitments from each other? When are commitments asked for and about what?
II. Diagnose Why might you and your counterpart be using the elements in this way? <ul style="list-style-type: none">• Causes• Purposes• How are you contributing?			
III. Change How can you change the game by <ul style="list-style-type: none">a) Changing the way your counterpart is using this elementb) Changing the focus to a different elementc) Changing your own behaviors	How might you introduce objective criteria and maximize both parties' sense of legitimacy?	What could you do acknowledge alternatives to agreement without sidetracking the negotiation? How could you really test your counterpart's best alternative?	How might you get your counterpart to commit to the process by which you will interact, before committing to the substance of the deal?

The Result

When the meeting resumed, thanks to sheik's advice Mahmut Taroot was well prepared not only with the substance, but also with how he might use the Seven Elements to help him direct the conversation at the table. When he sat down across from Jabrail this time, Mahmut found that he could identify the patterns of negotiation that had tripped him up in the past and was able to direct the conversation more effectively. By recognizing different tactics and preparing ahead of time for what he could say to deflect Jabrail's attacks, Mahmut was more able to focus the discussion on options and legitimacy without giving in to threats or committing to anything that he did not fully understand or with which he did not agree.



Be the change

***The Tool No. 3***

The Ladder of Inference Tool.



Ladder of Inference Tool

Overview of the Ladder of Inference Tool

The Ladder of Inference Tool is useful whenever conversations are going around in circles without generating insight, when people are arguing over different conclusions, and when there is little movement toward a common view. It explains how different people can understand the same situation very differently, and both be “right,” or at least partially valid in their story.

In any situation, the people involved will have access to and will pay attention to different facts. The data that people focus on depends on their past experience, their assumptions about what is important, their professional training, and even their personality. These types of differences lead people to interpret information differently, to fill in missing pieces in idiosyncratic ways, and to extrapolate different stories and conclusions from what is always at least somewhat incomplete information.

Understanding how such different stories can coexist can make it less threatening when someone disagrees with you. You do not have to give up your view to understand and acknowledge theirs. The Ladder of Inference Tool shows you both how to explore their story and how to share yours more effectively, and lays the foundation for effective problem-solving. It is helpful for diagnosing what might be going wrong when you have had a difficult conversation or feel that you are getting nowhere in persuading your counterpart and you do not know why. It can also be used to prepare for a conversation that you anticipate will be difficult. The Ladder of Inference Worksheet will help you systematically analyze the present (or future) discussion, understand your reasoning and your counterpart’s, and plan for a constructive conversation.

Purposes of Using the Ladder of Inference Tool

- ✓ To explore how and why parties might see a situation differently
- ✓ To get past communication breakdowns that cause conflicts

Using the Ladder of Inference Tool

When two parties see a situation differently or disagree about what to do, the Ladder of Inference Tool suggests that rather than argue about their conclusions (who is right), it is much more productive to explore and try to understand the information and reasoning that led each person to their conclusion. It helps to prepare for such a conversation by clarifying your own ladder — the data, interpretations, and reasoning behind your views — trying to understand the other person’s reasoning in the same way. You can plan how to share and test these thoughts in the next conversation using the Ladder of Inference Worksheet.

The Ladder of Inference is based on the work of Argyris and Schon. See Argyris, Chris, Robert Putnam, and Diana Smith, *Action Science: Concepts, Methods, and Skill for Research and Intervention* (San Francisco: Jossey-Bass, 1985).



Ladder of Inference Tool

Explore the Data

Specify the facts, figures, actions, and conversations upon which you are relying to reach your conclusions. Invite the other party to ask questions about what you have shared.

Ask the other party to specify the facts, figures, actions, and conversations that they are relying upon to reach their conclusions. Ask questions about their data.

Explore Reasoning Paths

Share the interpretations that you draw from your data (and the other party's, if it is relevant) and why. Invite the other party to ask questions about your interpretations.

Ask the other party to share the interpretations they draw from their data (and from yours, if it is relevant) and why. Ask questions about the other party's interpretations.

Explore Conclusions

Share your conclusions, describing how you get from your interpretations to your

conclusions. Encourage the other party to ask questions about your conclusions and the process that led you to those conclusions.

Ask the other party to share their conclusions. Ask questions to understand the conclusions and the process they took to reach them. Be careful not to mask advocacy as inquiry. "How could you possibly think such an unrealistic plan will work?" does not do much to illuminate differing viewpoints, nor does it promote high quality dialogue.





Reflect and Inquire

State any considerations you think important that the other party does not seem to have addressed and ask how they see or weigh them. Assume that they have thought about these factors, rather than assuming they have not.

Ask the other party what seems missing or unpersuasive in your reasoning. Encourage them to share doubts, rather than asking if they agree or if your view makes sense. Explicitly inviting alternate views will help ensure that differences are shared and explored rather than remaining unspoken and impeding effective dialogue and problem-solving.

Depending on the situation, you may want to follow these steps in order or focus first on one party's reasoning, and then turn to the other party.

The Ladder of Inference is based on the work of Argyris and Schon. See Argyris, Chris, Robert Putnam, and Diana Smith, *Action Science: Concepts, Methods, and Skill for Research and Intervention* (San Francisco: Jossey-Bass, 1985).

*Ladder of Inference****Hiring a Local Consultant*****The Problem**

Yesterday Tabuit Sirunj, a Nabaki national and Taroot's nephew, Deputy Country Director for IDCA's Mission in Nabak, learned that a local partner Ibrahim for the construction of a school in Wafer (He is the manager of the Scientific Development local NGO that works in partnership with the International Development Organization had just recently hired Abbas Gulbatiat, a former local government official, to advise ohen and facilitate the construction negotiation process. IDCA has strongly opposed involving any former government employees in the process and Abbas Gulbatiat in particular because he is a close friend of the Nabaki national government Minister of Education who is widely believed to get results through rather questionable means, some have used a stronger word, corrupt means. IDCA believes that his involvement may lead to further complications and even tarnish IDCA's immaculate reputation in Nabak and in the region. This may be particularly annoying if consultant's fees are included in the project's cost base, something Gulbatiat will insist on but IDCA could never agree to. Also, Abbas Gulbatiat has a bad history with Emanuella Cavendish, a senior officer with one of the IDCA's donors, which could cause problems.

IDCA is frustrated with local partner's blatant disregard for good partnering. Hiring Gulbatiat is not the first time that Ibrahim has made a unilateral decision affecting the school construction project, nor is it the first time such a decision could potentially jeopardize IDCA's reputation. IDCA's management team would be willing to end the partnership with Ibrahim, except for the fact that it could seriously erode relationship with some of the Taroot family members. Finding another partner when all approvals from the donor have been granted may cause additional delays in the process. Nevertheless, the team has decided that something needs to be done.

As a result, this morning when Tabuit Sirunj saw Ibrahim at breakfast hosted by Wafer's Al-Mukhtar, and he immediately raised the issue. The chart below shows both what Tabuit and Ibrahim actually said, and what Tabuit was thinking and feeling, but not saying.



Ladder of Inference Tool

What they said

Tabuit: Ibrahim, you have to understand that it is not OK for Ibrahim {name of the org} to hire Abbas Gulbatiat without IDCA's consent. It gives the deal a smell of corruption, which is going to be a problem, and doing such thing unilaterally is not how a good partner should behave.

Ibrahim: What are you talking about? I raised the issue with your predecessor, Namik, before he left and he said he had no objections and that we could hire Abbas if we wanted to. I also resent the implication that Ibrahim's org would involve itself in corrupt activities.

Tabuit: Oh, come on. My team says they could not have been more specific about our objections. We both know the kind of "help" Abbas provides. And if you got Namik to agree, you must have known he wasn't fully informed.

Ibrahim: My subordinates have all sorts of concerns that do not concern me. They do not always understand the big picture. That's why Scientific Development local NGO and IDCA pay their managers to make the important decisions. Do you think I should not have taken Namik's word? Does that mean I should not take yours either?

Tabuit: Look, Ibrahim. We are outraged about this. You and your team have done something completely out of line, I think you know it, and I hope that by the time we next talk with you, you will have remedied the situation.

What Tabuit was thinking and feeling but not saying

I can't believe Scientific Development local NGO would try to hire this guy behind our back! I need to make it absolutely clear that this kind of behavior is unacceptable. And I've got to get them to take our regulations seriously.

Sure he did! He knows Namik wasn't always on top of the politically sensitive issues and he took advantage – if he talked to Namik at all.

Oh, boy. Let's not have a philosophical debate "culture" and "smart business."

I am not going to let him weasel out of this one, and I resent him trying to put this off on Namik.

What a jerk! He is insulting my team and me. (I'm feeling very angry.) He is just trying to change the subject. I have to hold the line on this.

Maybe he needs some time to think about it, and find a way not to feel like he's backing down or losing face.



Ladder of Inference Tool

Afterwards, Tabuit had mixed feelings about this conversation. He was glad he had been straight with Ibrahim, but he was worried that this would hurt the relationship going forward. He kept going over this situation in his mind, trying to reassure himself that his view was clearly “right”. When he realized what he was doing, Tabuit asked his uncle Taroot to work through the Ladder of Inference Worksheet with him to think about whether Ibrahim might be operating from some plausible different story, and how to construct a future conversation to test that possibility productively. (See the product of their work at the end of this section)

The Result

When Tabuit and Ibrahim next spoke, the conversation went quite differently. Tabuit carefully “walked up his ladder” by explaining how the situation looked to him and why. Then he asked Ibrahim how Scientific Development local NGO’s views differed and how they came to the conclusion to hire Abbas Gulbatiat. It turns out that Ibrahim had *not* been informed by his team of IDCA’s objections and didn’t check with them before committing to Abbas; likewise Namik had not been briefed by his team before talking to Ibrahim. Moreover, Ibrahim and Tabuit had quite different ideas of what Abbas would be doing – and for whom. Within minutes, the misperceptions were cleared up and Ibrahim and Tabuit were working together to determine what to do next.



Real Case of Using the Inference Ladder:

Background:

Following provincial elections and the formation of a new government in Diwaniyha excluding the previous Government party members from participation, the government started correcting the mistakes that were committed during the previous term. One of the most pressing issues was to impeach the Head of the Education Department, as he was appointed without any relevant experience, but only because he was a party member. They discussed his performance in detail and as a result discovered many cases of corruption within the DoE, but the head of DoE denied such a denouncement considering it a political campaign rather than real cases in need of investigation. After proving these cases, PC members voted on impeachment and after four months, they voted to appoint Manshad Abid Abada (a CM participant). When they sent their decision to the Minister of Education, they didn't mention the exact reasons for firing him and expressed that it was "weak management," so the Minister considered the change for political reasons. A confused relationship began between the PC and the Education Minister, who has prevented the new Director from replacing any of the Departments heads.

Nine Member Role:

Due to the nature of Manshad's position as head of DoE, he is dealing directly with the minister and the PC, so his role was as the mediator trying to find common interests through fair criteria.

The Used Tool:

He has used the Ladder of Inference tool in order to reach a shared interpretation and in order not to lose each of these important parties.



Ladder of Inference Tool

The Tool's Application:

The PC has fired the head of DoE formally and the formal letter that was sent to the Ministry says that the reason for the firing was the "weak management." This gave the minister an indicator to interpret the issue differently, "it is just political issue against the previous DoE party, and for this reason they didn't mention the reasons that led him to be fired." Here both parties had the same pool of information and each had chosen what was important from their perspectives and began interpreting the information in accordance with what they had in mind, then each had a completely different conclusion and started looking for what supported their conclusion. After many meetings with both parties, it appeared that the PC had never disclosed the exact reasons of firing the previous Head DoE so that he would not be misunderstood as having been against his party and in order not to be interpreted as political exclusion, for fear of political repercussions.



Here, the new head of the DoE was in a very critical situation that could have caused him to lose one of these two important allies. Additionally, he had been delayed in replacing the heads of the Construction Dept. and of the Accounting Dept. as the minister is preventing him from doing that because he is considering this as blind obedience to the PC. The new head of the DoE has developed a strong relationship with both of the sides and has led a meeting between the education committee in the PC and the Minister, during which they explained to the minister the exact reasons for firing the previous DoE head and why they didn't mention that in the formal letter informing of their decision. The minister explained to them how he understood such action and their perspective. Through this encounter, they started to build trust and a positive relationship. The head of education, a CM member, has suggested both of the parties to help him



Ladder of Inference Tool

in listing a criterion for each of the departments heads in order to guarantee good performance. The criteria were:

1. The academic specialization (degree)
2. The experience which is not less than five years of work in the same Department.
3. The CV during the work period.
4. The experience in leading and managing challenging large scale projects

So, through applying these standards, they were able to replace 3 departments' heads, not only two, and bring qualified persons who are accepted by the three parties. As a result of such work, the Department of Education has been awarded a third of the provincial budget for 2010, in addition to the Ministry's Budget.

The Inference Ladder worksheet that has to be used whenever we need to apply the tool:

LADDER OF INFERENCE WORKSHEET		
I. <i>Clarify your reasoning.</i> Reflect on your conclusions and how you reached them. Look for key assumptions and consider how to test them.	II. <i>Clarify their reasoning:</i> Consider how the other side may be reasoning by first seeking to understand and then looking for different assumptions and ways to test them	III. <i>Plan a more constructive conversation</i>
What is the question in dispute from your point of view?	How might the other side describe the question from their point of view?	How could you explain your view to help someone understand it who does not have the same information as you or who sees the situation differently?
What are your conclusions about the answer to the question?	What do you think their conclusions are about the answer to that question?	What questions might you ask to find out what the other side finds unpersuasive about your story and why, what your story does not seem to address, or where they see the situation differently?
What are your arguments why this is true?	What arguments might they make in support of this view? What would you be thinking if you had reached their conclusion?	
What data and/or assumptions have shaped and supported these arguments? Make clear how.	What data and/or assumptions might have shaped their arguments or would be needed to support their argument? (Imagine things that might possibly be true but that you might not know.)	How could you help them explain their reasoning in a way that a) helps them feel heard and understood and b) helps identify information or ways of seeing the situation they may have and you do not?



Ladder of Inference Tool

What part of this information might the other side not know or understand as you do?	How might you elicit the data and reasoning that actually underlies and supports their contributions?	What questions might you ask to explore how they see aspects of the situation important to you that their explanation seems not to address (or to make it easy for them to factor such concerns into their reasoning, if they have not done so yet)?
What kind of data would call your key assumptions or conclusions into question?	What new information might possibly lead them to rethink their key assumptions or conclusions?	How might you begin a conversation seeking to explore how both sides might reasonably hold views that on the surface appear to conflict (because of different information or different assumptions)?

The Training Materials:

1. The Shoe Shop Exercise (attached at the end of the book)
2. The Real Cases of interventions (attached at the end of the book)
3. The Slides attached with this book.
4. The illustrative stories (The trainer)



Be the change

Framing Tool



Overview of the Framing Tool

The essential tool of the negotiator as the manager of meaning is the ability to frame. **To determine** the meaning of a subject is to make sense of it, to judge its character and significance. **To hold the frame** of a subject is to choose one particular meaning or set of meanings over another. When we share our frames with others (the process of framing), we manage meaning because we assert that our interpretations should be taken as real over other possible interpretations. Thus, “managing meaning” in this context denotes

- Inducing listener to accept framer’s interpretation of circumstances as real over other interpretations
- Constructing social cues that impact the listener’s assessment of “reality”
- Activating or creating “mental model” -- ideals, standards, experience used to understand situation

Purpose of Using the Framing Tool

The psychological principles that govern the perception of choice and evaluation of probabilities and outcomes produce predictable shifts of preference when the same problem is framed in different ways. If the problem is framed as that of a loss, a more likely preference is **the loss aversion**. People tend to strongly prefer avoiding losses to acquiring gains. Losses are twice as powerful, psychologically, as gains. If the problem is framed as that of a gain, therefore, a more likely preference is **the risk aversion**. The goal of the negotiator is to frame the most desirable option on the table as a gain for the other side. In that case the other side is less likely to take the risk of resorting to BATNA. If they see what you are asking them to do as a concession or a loss, they are more likely to take a risk of BATNA.

Framing Tool as Language in Action

- Language helps in focusing, especially on aspects of situations that are abstract and only vaguely sensed at first.
- Language helps us classify and put things in categories
- Because our memory works through associations, language helps us to remember and retrieve information
- Through metaphoric language, we can understand one thing in terms of another’s properties, and so cross-fertilize our impression.

Framing Tool



Five language forms for building memorable frames. James Sebenius *Six Habits of Merely Effective Negotiators* Harvard Business Review, April, 2001

1. **Metaphors** will describe something's likeness to something else. The essence of metaphor is under-standing and experiencing one kind of thing in terms of another.
2. **Catchphrases** will frame your subject in familiar terms.
3. **Contrast** will illuminate your subject in terms of its opposite.
4. **Spin** will cast your subject in positive or negative light.
5. **Stories** will make your subject more real by way of example.

Framing Tool



SOLVING TEDDY ROOSEVELT'S NEGOTIATION PROBLEM

"Theodore Roosevelt, nearing the end of a hard-fought presidential election campaign in 1912, scheduled a final whistle-stop journey. At each stop, Roosevelt planned to clinch the crowd's votes by distributing an elegant pamphlet with a stern presidential portrait on the cover and a stirring speech, "Confession of Faith," inside. Some three million copies had been printed when a campaign worker noticed a small line under the photograph on each brochure that read, "Moffett Studios, Chicago." Since Moffett held the copyright, the unauthorized use of the photo could cost the campaign one dollar per reproduction. With no time to reprint the brochure, what was the campaign to do? Not using the pamphlets at all would damage Roosevelt's election prospects. Yet, if they went ahead, a scandal could easily erupt very close to the election, and the campaign could be liable for an unaffordable sum. Campaign workers quickly realized they would have to negotiate with Moffett. But research by their Chicago operatives turned up bad news: although early in his career as a photographer, Moffett had been taken with the potential of this new artistic medium, he had received little recognition. Now, Moffett was financially hard up and bitterly approaching retirement with a single-minded focus on money. Dispirited, the campaign workers approached campaign manager George Perkins, a former partner of J.P. Morgan. Perkins lost no time summoning his stenographer to dispatch the following cable to Moffett Studios: "We are planning to distribute millions of pamphlets with Roosevelt's picture on the cover. It will be great publicity for the studio whose photograph we use. How much will you pay us to use yours? Respond immediately." Shortly, Moffett replied: "We've never done this before, but under the circumstances we'd be pleased to offer you \$250." Reportedly, Perkins accepted – without dickering for more. Perkins's misleading approach raises ethical yellow flags and is anything but a model negotiation on how to enhance working relationships. Yet this case raises a very interesting question: why did the campaign workers find the prospect of this negotiation so difficult? Their inability to see what Perkins immediately perceived flowed from their anxious obsession with their own side's problem: their blunders so far, the high risk of losing the election, a potential \$3 million exposure, an urgent deadline, and no cash to meet Moffett's likely demands for something the campaign vitally needed. Had they avoided mistake by pausing for a moment and thinking about how Moffett saw his problem, they would have realized that Moffett didn't even know he had a problem. Perkins's tactical genius was to recognize the essence of the negotiator's central task: shape how your counterpart sees its problem such that it chooses what you want. The campaign workers were paralyzed in the face of what they saw as sharply conflicting monetary interests and their pathetic BATNA. From their perspective, Moffett's only choice was how to exploit their desperation at the prospect of losing the presidency. By contrast, dodging mistake Perkins immediately grasped the importance of favorably shaping Moffett's BATNA perceptions, both of the campaign's (awful) no-deal options and Moffett's (powerful) one. Perkins looked beyond price, positions, and common ground and used **Moffett's different interests to frame the photographer's choice as "the value of publicity and recognition."** Had he assumed this would be a standard, hard-ball price deal by offering a small amount to start, not only would this assumption have been dead wrong but, worse, it would have been self-fulfilling. Risky and ethically problematic? Yes...but Perkins saw his options as certain disaster versus some chance of avoiding it. And was Moffett really entitled to a \$3 million windfall, avoidable had the campaign caught its oversight a week beforehand? Hard to say, but this historical footnote, which I've greatly embellished, illuminates the intersection of negotiating mistakes, tactics, and ethics."

James Sebenius Six Habits of Merely Effective Negotiators Harvard Business Review, April, 2001

Framing Tool



Framing an Interpretation: It is said that there was an ancient king who dreamt of all his teeth destroyed, so he requested the best interpreter for dreams, the interpreter told him that the dream means that the king will lose all his family members, they all will die; such news didn't please the king so he jailed the interpreter and requested another one. The new interpreter cannot lie and cannot hide the truth, so he has just change the frame through the new interpretation that said the king will be the longest age among his family members and this was an interest for the king so he has rewarded this interpreter on the contrary of the first one who was jailed.

Language Forms	Metaphors	Catchphrases	Contrast	Spin	Stories
Use it because	You want a subject to take a new meaning	Familiar references can enhance meaning	It is sometimes easier to define what your subject is not than state what it is.	It can reveal your subject's strengths or weaknesses.	They attract attention and can build rapport.
Example	"I feel our relationship is formal like punching a ticket."	"We've got to break the squares today."	It's rain forest, not jungle. Giving a man a fish versus teaching a man to fish.	"The CIA said life could be lousy, life could be OK, life could be better. The Iraqi people do not share their pessimism." President Bush	"I know that feeling. When I was young, my family lived in Indonesia for a few years, and my mother didn't have the money to send me where all the American kids went to school." President Obama

Framing Tool



Subject: Framing a Problem to Resolve It

Problem: There are many unemployed young people in Diwaniyah. The job offers are inadequate considering their number and the fact that most of the youth lack the required academic qualifications. Therefore, a big group of unemployed young people raised this issue to the municipal council, requesting to be recruited in the projects executed by the local government, particularly for the excavation works which do not require specific skills knowing that the companies in charge of such projects use shovels and mechanical excavation which is usually faster and less costly. It was hard to convince the local government to replace such excavators with workers. Therefore, the municipal council refused the proposal of Jaafar El-Mousawi, member of the conflict management team in Diwaniyah, because it will be more expensive than machine-driven excavation. However, after the following presentation of the project, the proposal was approved and was added as a condition in the projects of the local government.

Disadvantages of Automated Excavation:

1. How many high-tension power cables are damaged on a daily basis due to automated excavation?
2. How many drinking water pipelines are damaged on a daily basis due to automated excavation?
3. How many wastewater pipelines are damaged on a daily basis due to automated excavation?
4. How much does it cost to repair the damages caused to the pavements and streets due to automated excavation?
5. How many problems arise with citizens due to automated excavation?

Upon raising these questions, it was unanimously agreed that all the aforementioned problems are costly and should be resolved.

Framing Tool



Furthermore, there are other problems that also lie within the responsibility of the local government. They have been put forth as follows:

1. How many young people are unemployed?
2. How many crimes are committed as a result of unemployment?
3. What are the costs allocated for advertising the projects?
4. How many people listen to the radio on a daily basis and are informed of the projects being executed in several areas of the city? How many people are not aware of such projects?

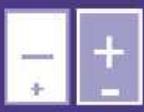
Thus, it has been suggested that when the local government recruits 30 excavation workers in 100 projects, there will be 3,000 working young men supporting a family of a minimum of four people. Thus, 12,000 people will be benefiting from the manual excavation in the projects. Their recruitment will contribute to the advertising campaign of the executed projects and in reducing the unemployment rate in the city and the damages caused to the water and wastewater pipelines, the cables of the Directorate of Post, the power cables and the streets and pavements. Thereupon, there was no need to reject the suggestion in such a conclusive manner at the beginning.

The training Materials:

1. The Flu epidemic exercise (attached with the book)
2. The Kidney exercise (attached with the book).
3. The PowerPoint File (attached with the book)
4. The Illustrative Stories (The Trainer)



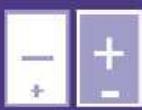
Be the change



Choice Analysis

The Tool No. 5

The Choice Analysis Tool



Choice Analysis

Overview of Choice Analysis

Conducting a Choice Analysis is useful anytime someone says “no” to a request or proposal from you and you cannot understand why. This tool can help you understand the other party’s perspective in a way that enables you to create a new proposal to which they are more likely to agree.

A Choice Analysis can be used in a number of different ways. It can be used to anticipate resistance prior to making a proposal or request. It can also be used after someone has said “no,” to diagnose why and to reframe or craft a new proposal. Finally, in many situations it can be quite powerful to share some or all of your Choice Analysis with the party whom you are trying to influence, and to ask them to tell you what is missing or wrong. The Choice Analysis then provides a framework to guide a conversation in which you elicit their interests and concerns, and in which you work together to imagine how to address those concerns and craft a new approach that meets both of your interests.

While understanding your counterpart’s Currently Perceived Choice (CPC) and Target Future Choice (TFC) are at the core of a Choice Analysis, there are several other important elements to consider. Using the Choice Analysis: A Systematic Approach to Influence Worksheet will enable you to assess the situation more fully — the decision makers, their choices, and the consequences of those choices — and ultimately develop a concrete plan for moving forward.

Purpose of Using Choice Analysis

- To anticipate another party’s negative response to something you plan to propose and help craft a more appealing proposal
- To break an impasse during conversations where one party is saying “no” to a request or proposal and you cannot understand why

Conducting a Choice Analysis: A Systematic Approach to Influence

Step One

Clarify the situation by noting the organizations and people involved

Step Two

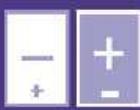
Brainstorm possible decision makers

- Think about the decision maker that you have been trying to (or want to) influence.
- Think about other possible decision makers whom you might also seek to influence.
- Of these, decide whom you most need to influence and record that person’s name at the top of your Currently Perceived Choice (CPC) chart.

Step Three

Consider the possible choices facing this decision maker

- Think about what you have been asking (or plan to ask) the decision maker to do. State this as a



Choice Analysis

request to take action within a specified time frame. (For example, “Please agree now to give me a 15% raise.”)

- Think about some different ways the decision maker might describe the choice to him- or herself. (For example, “Shall I now agree to Chris’s demand for a 15% raise?” or “Should I today give in to Chris’s demand for a 15% raise?”)
- Decide which way the decision maker is most likely to frame the request and record this at the top of your CPC chart.

Step Four

Analyze the decision maker’s Currently Perceived Choice (CPC)

To understand why someone is saying “no,” you need to understand how they currently perceive the choice they are facing. To do this, use the accompanying CPC chart. A well-constructed CPC chart should make you think things like, “If that’s how they see their choice, then I can see how it makes sense for them to say ‘no.’”

a) Articulate the question you are presenting to the decision maker to which their answer is “no” (CPC chart, step 1).

+ The challenge is to capture the question they hear, not the question you wish they would (or think they should) hear.

+ Be specific about the implied time frame requested for action (usually “now” or “today”).

b) Estimate the consequences for them of saying “yes” to your current proposal/request (CPC chart, step 2).

Put a minus (-) in front of negative consequences they might perceive and a plus (+) in front of positive consequences they might perceive.

Concentrate on the negative consequences of “yes.” Although there will usually be at least some positive consequences to them of saying “yes,” the point of this exercise is to understand why they are saying “no.”

c) Estimate the consequences for them of saying “no” to your current proposal/request (CPC chart, step 3).

Put a plus (+) in front of positive consequences they might perceive and a minus (-) in front of negative consequences they might perceive. Note especially the impact of any lack of deadline.

Currently Perceived Choice	
Decision maker:	_____
Decision:	Shall I today _____?
If “Yes” I experience the following consequences:	If “No” I experience the following consequences:
- - - - - - - + +	+ + + + + + + - -
(2)	(3)
AND + I can always say “yes” tomorrow	



Choice Analysis

Do not just reverse the negative consequences of saying “yes” and make them into positive consequences of saying “no.” Different courses of action will cause different consequences, which you should try to list in order of importance. Think about what they will do instead if they say “no,” and the consequences.

Remember: You are trying to understand how it is that the consequences of saying “no” seem relatively more attractive to them than the consequences of saying “yes.” You have succeeded when their choice, saying “no,” starts to make sense to you.

d) Consider what you have learned.

What are the key interests and concerns that seem to be driving their choice?

What are the key contrasts between the consequences of “yes” and “no” that might help drive the choice toward “no”?

Step Five

Construct a Target Future Choice (TFC)

Once you better understand the choice as they currently perceive it, consider what new choice to put in front of them. Use the Target Future Choice (TFC) chart to guide you as you think about how the same concerns that currently lead them to say “no” might be managed differently to produce a “yes.”

If you first think about the relative balance of consequences that might lead them to say “yes” to some new proposal, you can then brainstorm what new proposal might realistically produce those consequences.

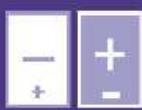
Target Future Choice	
Decision maker: _____	
Decision: Shall I today agree to the X plan to be developed? 6	
If “Yes” I experience the following consequences:	If “No” I experience the following consequences:
+ + + + + + + +	- - - - - - - +
4	5
AND - I will miss a fading opportunity	

a) Hypothesize: What consequences would a proposal need to create for the decision maker for them to say “yes”? (TFC chart, step 4)

Put a (+) in front of those consequences that would incent them to say “yes” and a minus (-) in front of any unavoidable negative consequences.

Use the understanding of the other party’s key interests from your CPC analysis.

b) Hypothesize: What consequences of saying “no” to your proposal would further incent the decision maker to say “yes”? (TFC chart, step 5)



Choice Analysis

Put a (-) next to all negative consequences and a (+) next to any unavoidable positive consequences. Pay particular attention to the impact of a deadline or fading opportunity as a negative consequence of saying “no.”

Step Six

Brainstorm possible pieces of an X Plan that would present these consequences to the decision maker

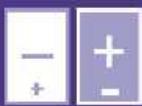
Step Seven

Create an X Plan for the decision maker that includes as many of the consequences noted in step five as possible, and also meets your interests well (TFC chart, step 6)

Step Eight

Check your work: conduct a “Worst Critic Analysis”

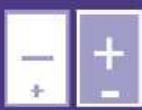
- Think about how to help the decision maker sell the X Plan to his or her constituents. How could the decision maker announce it?
- Think about the worst possible critic whose views the decision maker is likely to take seriously. What might this person say in response to the X Plan? What could the decision maker say in response to this person’s criticism?



Choice Analysis

CHOICE ANALYSIS: A SYSTEMATIC APPROACH TO INFLUENCE WORKSHEET

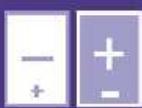
1. The Situation	3. Possible Choices	4. Currently Perceived Choice																
Note the organizations and people involved in the situation. You may want to draw a diagram.	a) What have you been asking (or do you plan to ask) the decision maker to do? State this as a request to take action within a specified time frame (For example, "Please agree now to start construction of school in your tribal area.")	Decision Maker _____ Decision: Shall I today _____ If "Yes" _____ If "No" _____ I experience the following consequences <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">-</td><td style="width: 50%;">+</td></tr> <tr><td>-</td><td>+</td></tr> <tr><td>-</td><td>+</td></tr> <tr><td>-</td><td>+</td></tr> <tr><td>+</td><td>+</td></tr> <tr><td>+</td><td>+</td></tr> <tr><td>+</td><td>-</td></tr> <tr><td>+</td><td>-</td></tr> </table>	-	+	-	+	-	+	-	+	+	+	+	+	+	-	+	-
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2. Possible Decision Makers Who is the decision maker that you have been trying or want to influence? Who are some other possible decision makers whom you might seek to influence? Choose one person whom you need to influence and record their name on the decision maker line Step #4	b) What are some different ways the decision maker might describe the choice to him or herself? (For example, "Shall I now agree to Mercy Corps' request to build a school on my tribe's land?") 1) 2) 3)	Now, in Step #4, use one of these formulations to fill in the decision, then imagine the consequences (pro and con) as the decision maker might see them of saying "yes" and of saying "no". Keep working until saying "no" starts to seem reasonable and appropriate from the decision maker's point of view. With this analysis of why the decision maker is saying "no" to your current proposal, proceed to step #5. Use this understanding of the decision maker's important interests and concerns to outline how they will need to see the consequences of some new choice for "yes" to seem relatively more attractive than "no."																



Choice Analysis

CHOICE ANALYSIS: A SYSTEMATIC APPROACH TO INFLUENCE WORKSHEET

3. Target Future Choice	4. Possible Pieces of "X Plan"	8. Worst Critic Analysis																				
<p>Decision Maker: _____</p> <p>Decision: Shall I today say "yes" to the new X Plan?</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center; padding: 5px;">If "Yes"</td> <td style="text-align: center; padding: 5px;">If "No"</td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 5px;">I experience the following consequences</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">+</td> <td style="text-align: center; padding: 5px;">-</td> </tr> <tr> <td style="text-align: center; padding: 5px;">-</td> <td style="text-align: center; padding: 5px;">+</td> </tr> <tr> <td style="text-align: center; padding: 5px;">-</td> <td style="text-align: center; padding: 5px;">+</td> </tr> </table> <p>Proceed to Step #6 and for each consequence above brainstorm some possible pieces of an X Plan that would lead the decision maker to feel that way. Pieces may include substantive terms in a new proposal methods of framing or packaging the proposal. Methods of presenting the proposal to the decision maker, and steps taken to affect the decision maker's BATNA.</p>	If "Yes"	If "No"	I experience the following consequences		+	-	+	-	+	-	+	-	+	-	+	-	-	+	-	+	<p>What are some potential pieces of a new proposal that might meet the decision maker's interests?</p> <p>Based on the ideas above proceed to step #7 and put together a package (an X plan) that offers as many of the consequences noted in step # 5 as possible, and also meets your interests as well.</p> <p>5. The X Plan</p> <p>a) Substantive terms of new proposal:</p> <p>b) How to present this proposal to the decision maker:</p> <p>c) Steps to affect decision makers BATNA</p> <p>Proceed to step #8 and think about how to help the decision maker sell the X Plan to his or her constituents.</p>	<p>a) How could the decision maker announce the decision to constituents?</p> <p>b) Who might criticize the decision of the decision maker?</p> <p>Select the "worst responsible critic" whose views the decision maker is likely to take seriously</p> <p>c) What the worst critic might say:</p> <p>d) What the decision maker might say in response:</p>
If "Yes"	If "No"																					
I experience the following consequences																						
+	-																					
+	-																					
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Choice Analysis

Choice Analysis

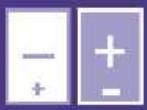
LAND ALLOCATION FOR A DAM CONSTRUCTION

(continued in Relationship Mapping)

The Problem

The Governor of the Bargan region Yusef Dadani was elected two years ago on a ticket from the “Unity,” the ruling political party in Nabak. Until this moment in his first term as the Governor he has not been able to deliver on many of his campaign promises. His popularity rating fell to a single digit figure last month. Although he has two more years until next elections, the Governor is under strong pressure from the leadership of the “Unity” party to do something to salvage the situation that has already adversely impacted the party’s standing in the region. An opportunity presented itself a week ago when the Governor was approached by Farid Taroot, a senior manager of the Sigma Construction Company, with a business proposal to build a major dam in Bordek, the regional capital. This project, if implemented successfully, can certainly improve Governor’s job approval rating. In fact, the dam seems to be the only large scale project that may allow him to be nominated for the second term re-election in eighteen months. First and foremost, the construction will create hundreds of new jobs and some of them well paid. Second, the dam will solve one of the challenges of his largely farmer constituency, namely that of irrigation water supply for their rice fields. Farid Taroot told him that Sigma can build the dam in two years. However, the Company needs to solve one urgent and seemingly complicated problem. The location of the proposed dam requires that 250 acres of land owned by the Shawabna tribe and currently used for a citrus grove be allocated for the construction needs. To handle this matter last week the Governor decided to invite personally Sami Sharud, the sheik of the Shawabna tribe to his nephew’s wedding party and was put through to the voicemail. Later that day Governor’s advisor heard that the sheik planned to decline the invitation publicly after a few days of silence. For the sheik to decline such an invitation publicly would signal big problems in Governor’s relationship with the Shawabna tribe. The Governor and his team were shocked and perplexed.

To make matters worse, the day after the Governor called Sami Sharud, the hotel owner was quoted in all local daily papers as saying that he was in the midst of negotiations with the Sigma managers over accommodation for their international staff arriving in Bordek to start the construction of a dam and that all other problems that could hinder this project had been resolved. As it turns out, someone in the public relations office of the hotel leaked the story and when a reporter called to confirm, the message he left said that he would assume the story was confirmed unless he heard otherwise. No one



Choice Analysis

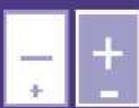
returned his call in time, so the story ran. Before calling again to persuade Sami Sharud to reconsider, the Governor's team decided first to try to understand his choice better. It seemed so obvious that the sheik should want to be associated with this project the team recognized they must be missing something important. At the suggestion of Farid Taroot the Governor decided to consult with Taroot Taroot, the sheik of the Wafer tribe, who has excellent relations with Sami Sharud as their tribes have been historical allies for decades. They knew that they could only formulate a sensible action plan after coming to understand the drivers for Sami Sharud's current (negative) choice not to accept the invitation and thus to signal a forthcoming trouble on the issue of land allocation. After seeking relevant information from Taroot Taroot, the team sat down to brainstorm using the choice analysis tool.



Choice Analysis

The use of Choice Analysis Worksheet

Choice Analysis: A systematic approach to Influence Worksheet									
									
1. The Situation	3. Possible Choices	4. Currently Perceived Choice							
<p>Note the organizations and people involved in this situation. You may want to draw a diagram.</p> <p>Governor Yusef Dadani Sami Sharud, the sheik of the Shawabna tribe Taroot Taroot, the sheik of the Wafer tribe Farid Taroot, a manager with Elders of the Shawabna tribe</p>	<p>What have you been asking (or do you plan to ask) the decision maker to do?</p> <p>Accept an invitation to attend the first meeting to discuss the construction of the dam and agree to the allocation of tribal land for the construction.</p> <p>What are some different ways the decision maker might describe the choice to him or herself? Should I agree to go this wedding party?</p>	<p>Decision Maker: Sami Sharud, the sheik of the Shawabna tribe</p> <p>Decision: Shall I today accept the invitation and signal that I agree that they can take our land, the main source of the tribe's income and support a failed Governor in getting re-elected?</p> <table border="1"> <tr> <td>If "Yes"</td> <td>If "No"</td> </tr> <tr> <td>I experience the following consequences:</td> <td>I experience the following consequences:</td> </tr> <tr> <td> 1. I will be considered the main reason for wasting the tribe farmers' efforts for years. - 2. I will lose my popularity especially when they compare me with my grandfather who got them the farms. - 3. I will weaken the tribe if the Government took the land. - 4. I will lose my position as a tribal sheik by dividing the tribe into two camps. - 5. I will support a failing Governor to improve his image and job approval rating. + 6. Construction of a large dam will create many jobs. + 7. Building a dam will provide the rice farms with enough irrigation water. + 8. The dam will be the best solution for the electricity problem. + </td> <td> 1. I will appear as the tribe's lands and interests defender just as my ancestors. + 2. My popularity will increase inside my tribe and among other tribes as well. + 3. I will reinforce the tribe's political and economic strength. + 4. I will retain my position as a tribal sheik. + 5. I will have the failing Governor lose the opportunity to cheat people again. + 6. The city and region will lose a project that may be a solution for the unemployment problem. - 7. The rice farms will lose their final opportunity to flourish again. - 8. The electricity problem will be continuous and unreliable in everything. - </td> </tr> </table> <p>proposal, proceed to step #5. Use this understanding of the decision maker's important interests and concerns to outline how they will need to see the consequences of some new choice for "yes" to seem relatively more attractive than "no."</p>		If "Yes"	If "No"	I experience the following consequences:	I experience the following consequences:	1. I will be considered the main reason for wasting the tribe farmers' efforts for years. - 2. I will lose my popularity especially when they compare me with my grandfather who got them the farms. - 3. I will weaken the tribe if the Government took the land. - 4. I will lose my position as a tribal sheik by dividing the tribe into two camps. - 5. I will support a failing Governor to improve his image and job approval rating. + 6. Construction of a large dam will create many jobs. + 7. Building a dam will provide the rice farms with enough irrigation water. + 8. The dam will be the best solution for the electricity problem. +	1. I will appear as the tribe's lands and interests defender just as my ancestors. + 2. My popularity will increase inside my tribe and among other tribes as well. + 3. I will reinforce the tribe's political and economic strength. + 4. I will retain my position as a tribal sheik. + 5. I will have the failing Governor lose the opportunity to cheat people again. + 6. The city and region will lose a project that may be a solution for the unemployment problem. - 7. The rice farms will lose their final opportunity to flourish again. - 8. The electricity problem will be continuous and unreliable in everything. -
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<p>2. Possible Decision Makers</p> <p>Who is the decision maker that you have been trying or want to influence? Sami Sharud, the sheik of the Shawabna tribe</p> <p>Who are some other possible decision makers whom you might seek to influence? Elders and the Shawabna tribe notables</p> <p>Choose one person whom you need to influence and record their name on the decision maker line in Step #4. Sami Sharud, the sheik of the Shawabna tribe</p>	<p>Should I today give in to the Governor's tactics of presenting things as if I already agreed to the plan.</p>								

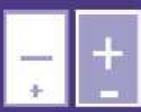


Choice Analysis

Choice Analysis: A systematic approach to Influence Worksheet

5. Target Future Choice		6. Possible Pieces of an "X Plan"	8. Worst Critic Analysis
Decision Maker:	Sami Sharud, the sheik of the Shawabna tribe		
If "Yes"	If "No"		
I experience the following consequences	I experience the following consequences	<p>What are some potential pieces of a new proposal that might meet the decision maker's interests?</p> <p>The new plan will be addressing sheik's main concerns and working to position him as a leader who cares about his tribe's interests as well as about regional ones. He and tribal elders will be major stakeholders in the decision-making process and no decision will be made without consideration of their interests. Some specific damage control measures will be taken to address the awkward leak in the media.</p> <p>Based on the ideas above, proceed to step #7 and put together a package (an X Plan) that offers as many of the consequences noted in step #5 as possible, and also meets your interests as well.</p> <p>7. The X Plan</p> <p>The discussion of the proposal to construct the dam will be launched at a special event chaired by one of the elders of the Shawabna tribe</p> <p>How to present this proposal to the decision maker: A close ally, the sheik of the Wafer tribe, Taroot Taroot will hand deliver the invitation to the sheik and tribal elders to attend the event.</p> <p>Steps to affect the decision maker's BATNA: A "no" from him will be framed as a "yes" to the continuation of the entire region's suffering</p> <p>Proceed to Step #8 and think about how to help the decision maker sell the X Plan to his or her constituents.</p>	<p>How could the decision maker announce the decision to constituents?</p> <p>"The land of our forefathers will continue to serve us and our fellow countrymen as part of the dam that will solve so many of our current problems and will pave way for our region's prosperity. Our sacrifice will be appreciated by everybody in the region of Bargan..."</p> <p>Who might criticize the decision or the decision maker?</p> <p>The owners of the citrus grove and 150 families that make significant part of their income on exports of oranges and tangerines to neighboring regions and abroad. A decent compensation and an option that could turn them into stakeholders of the dam may assuage their concerns about long-term dividends.</p> <p>Select the "worst responsible critic" whose views the decision maker is likely to take seriously</p> <p>What the worst critic might say: "This is a short-sighted quick fix that will fail to address our tribe's long term interests and needs. We expected a more strategic thinking from our leader. Land is sacred in our culture and there can be no monetary compensation for it. Your own grandfather would never approve this deal."</p> <p>What the decision maker might say in response: "I am saddened to hear these words. I think that electricity in our homes around the clock, irrigation water for our rice fields toiled by the majority of our tribesmen, jobs for the unemployed and, above all, reducing the great suffering of the people of the Bargan region is my grandfather's dream come true."</p>

Proceed to Step #6 and for each consequence above brainstorm some possible pieces of an X Plan that would lead the decision maker to feel that way. Pieces may include substantive terms in a new proposal, methods of framing or packaging the proposal, methods of presenting the proposal to the decision maker, and steps taken to affect the decision maker's BATNA (Best Alternative To a Negotiated Agreement).



Choice Analysis

The Result

In brainstorming Sami Sharud's Currently Perceived Choice (CPC), the team came up with a number of possible concerns the sheik may have. Among them was the fact that if the tribe were to lose the citrus grove, the sheik could end up with the tribe divided into two camps and losing his position as a leader of the. This valuable piece of input came from Taroot Taroot who is well versed in the intra-tribal relations. The sheik must be also worried that his presence at the wedding party would be seen as confirmation of his support for the project and the land issue is a done deal. In addition, the team realized that the sheik might be worried about appearing too cozy with the Governor and surrendering bargaining leverage by helping the Governor's public image. Finally, the team learned that the wedding party conflicted with sheik's earlier obligation to attend with tribal elders a prayer for a recently deceased tribal member. (Governor's young assistant knew this – he is from the Shawabna tribe – but he was not consulted before the invitation was issued.)

In light of these possible concerns, the team constructed a Target Future Choice (TFC) where these concerns were addressed and began to brainstorm propositions that would offer those consequences. They came up with a number of promising ideas, including having the City Council convene a special event for the Shawabna tribe elders to launch public discussions of the dam business proposal with Sigma Construction Company senior leadership in attendance. Since the construction of the dam will have positive implications for the entire region, other tribal leaders and dignitaries will be invited to this event. If Sami Sharud knows that Taroot Taroot and other sheiks are planning to attend, then it is most likely that he will be there, too. The team also thought of asking the Sigma Construction Company to consider adding a well-known in the region elder from the Shawabna tribe to chair the meeting.



Choice Analysis

This was an offer for a conditioned release to Mandela and how Mandela heard their offer and how he interacted with it to have the reply is “NO” after having the refusal position is stronger than the acceptance in accordance to the way he analyze the Choice.

The Decision Maker: Nilson Mandela 1985

The Question: Should I agree the Conditioned Release offered by the White Government to announce that I'm against Violence.

IF I say No

- + I will look strong.
- + My popularity as a leader will increase.
- + I will be more influential and this will help me in mobilizing my people.
- + I will keep both of the Negotiation and resistance options.
- The Confrontation may be escalated to reach a civil war.
- The White Government will try to show me as a violence supporter.
- I will not be able to be with my family and my health will deteriorate.

IF I Say Yes

- I will appear as a weak man after 22 years in prison.
- Some people in the National Conference will say that I have sold the my people issue.
- It can not be considered as a real freedom because it is conditioned and my party is still not allowed to practice any activity.
- It will be difficult to mobilize my people after I appear as distrust person.
- The Government will get rid of the International pressure and sanctions because of my release.
- We will not be able to negotiate nor to fight.
- + I will get my personal freedom and return to live with my family.



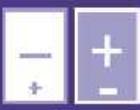
Choice Analysis

This Diagram illustrate how a tribal sheikh refused to donate a land for building a school by an international organization in accordance with the way he interpret the offer, so the refusal side was stronger and the acceptance.

The Decision Maker: The Tribe Sheikh

The Questions: Shall I allow an American Foreign Org which have different ideas and values that may spoil our values system to build a school on my land as it claims.

If I say Yes, then:	If I say No, then:
<ul style="list-style-type: none"> - I May lose my popularity in my tribe - I will be considered by some people as a supporter to the West and as a tool for implementing their Agendas a - I will disfigure my family patriotic History - I will be considered as Financially Utilitarian from the occupation + I will avoid the Students of my tribe a great deal of suffering in walking many Kilometers every day to another school + I will appear as a supporter to education in my Village and people will be glad of me 	<ul style="list-style-type: none"> - Many of my village's students will lose the education opportunity and will suffer the long road if they study in an other school. - I will appear an anti education person and against the kids future. + I will be more powerful and Popularity in my Tribe. + They will consider me as a patriotic symbol who is against west and its plans. + I will retain my family national History. + People will consider me as an honest person who can not be deceive by money.



Choice Analysis

After dealing with the Sheikh's refusal and analyzing the offer from his viewpoint and dealing with each point separately with framing the question and adding additional options such as the Bridge and the Donation Board, he has accept the offer.

The Decision Maker: The Tribe Sheikh

The Question: Will I Refuse building a school to 700 students from my tribe under the excuse of refusing to deal with the Foreign Orgs.

If I say Yes, then:

1. I will provide a school to the students and will get them avoiding the suffering of going to another school. +
2. I will appear as supporter to Education and people will be glad of me. +
3. My Popularity will be increased specially inside the new generations and the teachers. +
4. People will look at me as a Victimizer for the sake of My tribe and my Village +
5. Donating a land for building the school will be another new great step in my family history (the board of donation) +
6. **I will be considered as a corrupted man who has been deceived by money.** -

If I say No, then:

1. Many of my village student will lose the education opportunity and will suffer the long road if they join another school. -
2. I will appear an anti education person and against the kids future. -
3. Will my popularity Increase specially inside the Students parents? -
4. I will be considered as a Patriotic Person against west and its plans or against the education and development. ? -
5. I will disfigure my family national History when I'm the first one who refuse building a school with a bridge that can be used by the Village farmers. -
6. **People will see me as an honest man who can not be deceived by money. (assumption)**



Be the change



Relationship Mapping Tool

Tool No. 6

The Relationship Mapping Tool



Relationship Mapping Tool

Overview of the Relationship Mapping Tool

Getting things done often requires negotiators to build alignment among many parties. In such situations, the need to get the buy-in of key parties and to build broad-based support frequently must be balanced with the need to move quickly.

Faced with this complexity, people often feel the need to make difficult trade-offs: “Shall I try to get everyone to agree (and maximize the odds of the proposal being implemented), but risk delay and resistance from certain parties?” or, “Should I move as quickly as possible to get a decision made, but risk lack of buy-in and poor execution later?” Balancing the need for the perspectives and expertise of many different parties with the reality that getting them involved will take time and make it more difficult to reach agreement is a key challenge.

The Relationship Mapping Tool helps you understand the complex web of interconnected relationships among various people and groups. The completed Relationship Map illustrates to whom you should talk, about what, and in what sequence. Keep in mind that some of the meetings may be actual negotiations, whereas others might be opportunities to consult, get advice, and gather information. As you build the Relationship Map, use the evolving picture to help you think through what you know about each person and where you might need to gather more information.

Purpose of Using the Relationship Mapping Tool

- To enable systematic thinking about the best sequence for building support for a solution and getting buy-in from multiple parties
- To identify relationship problems that may need systematic attention

Using the Relationship Mapping Tool

Step One

Identify the Parties

Identify all stakeholders who might affect an important decision or course of action.

Think especially about key decision makers or other influential parties who have the ability either to derail the decision or expedite its approval or implementation.

Estimate each party's biases. Who is likely to initially support or oppose?

Step Two

Map the Relationships Among the Parties

+ Analyze the relationships the parties have with one another as best you can estimate them. Try to determine whether (taking parties A and B as an example):

- A “**Influences**” B (if A supports an action or decision, then B will consider it carefully and the chances of agreement are increased) = [A → B]
- A “**Defers**” to B (if B supports an action or decision, then A will almost certainly follow suit and agree as well) = [A → B]



Relationship Mapping Tool

- A “**Antagonizes**” B (if A supports an action or decision, then B is likely to oppose it) = [A→B]
- + Use colored lines to indicate the types of relationships between the parties (blue for “Influence,” green for “Deference,” and red for “Antagonism”), with arrows pointing as indicated above.

Step Three

Put the Relationship Map to Use

- + Find the gaps in your influence.
- Look for critical decision makers and influencers where you currently have no influence lines and create a strategy for building relationships with those people.
- + Find the relationships that are antagonistic.
- Determine if any of these may be detrimental to the outcome of the decision and think about strategies for mitigating risk.
- + Determine a sequence for getting buy-in using the following criteria:

Efficiency

- Look at the relationships of influence and deference among the various parties and determine whose buy-in would lead many others to follow suit.
- Identify the sequence that will generate the broadest level of support in the least time and with the least effort.
- Avoid the temptation to line up supporters and rely on momentum to sweep everyone else along. Remember to include relationships of antagonism in your thinking and develop a sequence that mitigates their impact.

Predisposition

- Who is likely to support or oppose your plan? Bear in mind that this criterion may be in direct tension with the criterion of efficiency. For example, if a person to whom many others defer is predisposed in an unfavorable way, he may not be the best place to start; you may wind up with an efficient means to an undesirable outcome! Instead, it often makes sense to seek out individuals who are likely to be supportive and can help influence pivotal but unsympathetic parties.
- Laying the groundwork to influence a key stakeholder may take extra time, but it will also increase the odds of getting needed buy-in.

Accessibility

- Although there may be a theoretically ideal sequence for building support that promises maximum efficiency, if you can't get the attention of a pivotal party or if it will take you three weeks to set up a meeting, then a little extra work to leverage the assistance of those who do have access to that party is likely to be beneficial.

A final note. The purpose of this tool is to enable systematic thinking about the best sequence for getting buy-in and building support — a sequence that minimizes the distorting effects of antagonistic relationships, and that leverages the deference people accord to those whose judgment they trust. Using the Relationship Mapping Tool tactically to try to blindside or work around someone who should be consulted is likely to be perceived (not unreasonably) as manipulative, and is ultimately likely to be counterproductive.



Relationship Mapping

The Dam Construction in the City of Bordek

(beginning in the Choice Analysis)

The Problem

Negotiations over the Bordek Dam have proven extremely complicated. Because the Bordek dam is such an enormous opportunity to solve several major problems of the region – electricity, irrigation water, and unemployment – several parties have significant political and economic stakes put on the outcome of this enterprise. To date, Kamil Al-Hayat hotel owner; Farid Taroot, Manager of the Sigma Construction Company; Yusef Dadani, the Governor had some early stage negotiations with Tameem the head of the Bargan Labor Union; Hamid the head of the Association of Rice Farmers; and Zaid the leader of the owners of the citrus grove which have been rather strained and have now essentially stalled. Farid Taroot has enlisted his cousin Taroot Taroot, the sheik of the Wafer tribe, to try to sway negotiations in favorable direction, with little positive results. To help make sense of the sea of people involved or could help influence those involved, Farid pulled the Sigma management team together to develop a Relationship Map for the negotiation.

As they were developing the map, the management team recognized several parties whom they previously had not considered as having a stake in the negotiations. Different members of the team had information about the parties and the relationships between them that, when combined, made quite a compelling story for the order in which they should work to influence people involved (directly or indirectly) with the negotiation. Some of the specific things that were discovered during the discussion included.

- While Governor has very strong ties to senior Nabak government officials, including in the national Labor Union Council, it seems that he spoke ill of the Bargan Labor Union leader to his cousin last month at a social event and the story quickly made its way back Bordek Labor Union office. Since then, they have fallen out.
- Hamid the Association of Rice Farmers leader and Zaid leader of the owners of the citrus grove have been seen together in the local country club every Friday night.
- The Rice farmers association leader Hamids' son attends university with the daughter of the Governor Dadani; the children were recently engaged, much to the delight of both families.
- Tameem the head of the Bargan Labor Union does not know Zaid the leader of the owners of the citrus grove very well and, in the absence of a good rapport and open communication, they do not always support each other even when it seems they have shared interests.



Relationship Mapping Tool

- Farid Taroot and Hamid the Association of Rice Farmers were acquaintances in the university.
- Hamid the Association of Rice Farmers leader will not take action without the concurrence of the tribal sheik, Sami Sharud, the sheik of the Shawabna tribe
- Tameem the head of the Bargan Labor Union and Hamid the Association of Rice Farmers leader built a solid relationship on two Haj trips.
- Governor Dadani and Zaid the leader of the owners of the citrus grove had a family dispute over a plot of land fifteen years ago that was solved in the favor of the latter.
- Hotel owner Kamil and Governor Dadani are high ranking members of the “Unity” party. Farid Taroot’s grandfather was among founders of that political party. The Taroot family has good relations with the Chairman of the party.

The Result

After discussing the parties and their relationships for a few hours and then stepping back to look at the mass of parties and lines on the worksheet, the management team recognized a few important things that prompted immediate action on their part. They concluded that the direct conversations between the Governor and Head of the Bargan Labor Union right now were unlikely to lead to an optimal result and that pushing for a meeting might even be counter-productive. The team concluded that the key decision-makers who had to be on board here were:

- 1) Sheik Sami Sharud of the Shawabna tribe
- 2) Sheik Taroot Taroot of the Wafer tribe
- 3) Chairman of the Unity party Abbar



Relationship Mapping Tool

Based on the relationship map, they decided on the following course of action.

- A) To get the head of the Labor Union on board at a conceptual level, the team will take a two pronged approach. Farid Taroot will ask his cousin sheik Taroot to convene a meeting with sheik Sami Sharud and the head of the Rice farmers association, Ahmed Rasdud. Since the head of the Bargan Labor Union defers to Ahmed Rasdud, this should help in bring him on board. Second, once Ahmed Rasdud is brought into alliance he should also be able to influence the Governor, his soon in-law to be, in improving relations with the head of the Labor Union. .
- B) On a parallel track sheik Sharud will work with the leader of the owners of the citrus grove on trying to hammer out basic terms for a compensation for land deal they can recommend to the upcoming meeting of land owners.
- C) At the same time, sheik Taroot will try to establish a better working relationship between Governor and leader of the owners of the citrus grove Zaid, Sheik Taroot will try to avoid directly negotiating about compensation with the Governor at this point, and wait until word comes down from the meeting of land owners before engaging in substantive discussions.
- D) Farid Taroot and his cousin sheik Taroot will ask Chairman of the Unity party to instruct both Governor and hotel owner to come up quickly with a solution to the accommodation problem so that the last obstacle to Sigma Construction Company Board's decision to implement this strategic project is removed from the agenda.



Relationship Mapping Tool

RELATIONSHIP MAPPING TOOL

1. Identify the Parties

Identify all people who need to buy-in to a decision or course of action and note whether or not you think they are likely to be supportive (S) or unsupportive (U) of your party's ideal decision. If you do not know their predisposition on the decision, place a question mark in the S/U column.

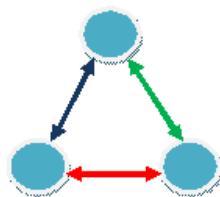
2. Map the Relationship Among the Parties

Analyze the relationships the various parties have with one another as best you can estimate them. Try to characterize the relationships in terms of influence, deference and antagonism.

Person or Group	S/U	INFLUENCE		DEFERENCE		ANATGONISM	
		Influences	Is Influenced By	Defersto	Is Deferred to By	Antagonizes	Is Antagonized By

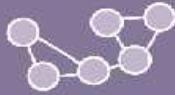
RELATIONSHIP MAPPING TOOL

1. Map the Relationships Among Parties

KEY:
EXAMPLE:
Deference

Influence
Antagonism

2. Put the Relationship Map to Use

- ❖ Find the gaps in your influence
 - Look for critical decision makers and influencers where you have no influence lines
 - Create a strategy for building relationships with those people
- ❖ Find the relationships that are antagonistic
 - Determine if any of these may be detrimental to the outcome of the decision and think about strategies for mitigating risk
- ❖ Determine a sequence for getting buy-in, consider:
 - **Efficiency:** Whose buy-in would cause others to follow suit? Try to identify the sequence that will lead to the broadest support in the fewest consultations.
 - **Predisposition:** Who is likely to support or oppose your plan? Leverage the influence of those who are inclined to be supportive and look for a sequence that mitigates the impact of antagonistic relationships.
 - **Accessibility:** To whom do you realistically have access? How easy will it be to gain access to others? Who may you need to rely on to open doors?



Relationship Mapping Tool

Real Case for using the Relationship Mapping Tool in addition to the Choice Analysis Tool:

The Problem is represented by the Tribe Sheik refusal to deal with an international Organization for constructing a school because of his concerns and fears that such NGO may have hidden unknown foreign agendas, so when the tool got used (*beside the Choice Analysis Tool*) through identifying the influential parties, who are other three tribal sheiks who have already dealt with the Org. and they have had very positive relations with the Sheik, so they have been used to explain him their experience with the Org. and what results they got from dealing with the international Org. in addition to the positive change happened in their communities. Another party has been identified, he is a tribal sheik who has a confused relationship with the Refused Sheik, so he was trying to convince the Org. to construct the school in his land instead of that refused Sheikh. So here the two levels of relations were available the diversity and the influence in addition to the deference level that was provided by the Department of Education that has explained the Sheik that the Education Department is the only party that can do anything with the students study materials and the NGO is only for the construction aspect and there is no any hidden agendas, so he has changed his position and the tool was sufficient in convincing him.



Be the change

Coalition Building



Tool No. 7

The Coalition Building Tool

Coalition Building



Overview of the Coalition Building Framework

There are few goals in life that one can accomplish without the support of others. Whether one's objective is as important as containing national security threat or as mundane as deciding where to go for a family vacation, the ability to build coalitions is a basic skill for those who wish to attain or maintain positions of power and influence. Coalitions are built through processes of negotiation. Confronted with limits on independent action, parties (individuals, groups, organizations, nations) naturally seek allies with such complementary resources as connections, money, expertise, information, decision-making authority, and coercive power. People assemble coalitions by negotiating cooperative agreements with potential allies, and by preventing or disrupting the negotiation of such agreements among potential adversaries.

To be effective in building coalitions, one must therefore learn how to conduct coalition-building negotiations.

To build solid coalitions, one must find bases for parties to cooperate in potentially risky ventures. The abilities to frame situations in ways that illuminate compatible interests, to build relationships of trust and shared obligation, and, if necessary to coerce, are therefore central to effectiveness. Coalition builders recruit others either by building up the attractiveness of a potential alliance, or by making the potential recruit's alternatives -which may be to do nothing or to join an opposing coalition - appear less attractive.

In this toolkit we offer an analytic framework that provides prescriptive insights on such essential dynamics of coalition building as those which arise when two or more partisans vie for the support of one or more potential recruits in multiple, interacting sets of negotiations. Drawing on key concepts from the literature on the social psychology of persuasion, mass communications, and negotiation analysis, we have developed a conceptual framework that highlights ten sources of power that coalition builders may use to influence potential recruits.

Coalition Building and Breaking Framework

1. Shared Interests:

Parties (individuals, groups, organizations, nations) join coalitions when they perceive that it is in their best interests to do so. More usefully, parties are motivated to join "natural" coalitions when they have either shared interests or compatible interests that can be advanced through cooperative action. The simple existence of compatible interests is not, however, a sufficient condition for natural coalitions to form. Potential allies must come to the point where they recognize that they have compatible interests and opportunities to undertake collective action, and they must communicate and agree to cooperate.

2. Alternatives:

A coalition builder has more power in negotiations with a potential recruit if he or she has good alternatives in the event that recruitment effort fails. "[T]he reason to negotiate is to produce something better than the results that you can obtain without negotiating." (Getting to Yes, 1991, page 100) In coalition-building negotiations, the coalition builder and the potential recruit each has a "best alternative" to entering into a coalition together. To recruit a potential ally successfully, the coalition builder must make the terms of the alliance more attractive than the potential recruit's best alternative to the alliance (which may be to remain neutral or to accept an offer to join an opposing coalition). Likewise, the coalition builder has a best alternative, which may be to proceed alone, or with the support of other parties.

Coalition Building



3. Carrots and Sticks:

Potential recruits' perception of their alternatives may be influenced through the use of threats or promises. To gain desired support, a coalition builder may threaten to do harm if supportive actions are not taken. Threats may also be used to isolate members of potential opposing coalitions for example, by punishing them for interacting. In addition, threats may be used to enforce the solidarity of an existing coalition. In each of these cases, coalition builders use their resources (money, connections) to alter potential recruits' perceptions of their alternative. Coalition builders who can make credible threats have an important advantage over those whose threats lack credibility. They may never have to expend scarce resources to gain the compliance of threatened parties. A reputation for toughness may therefore be an important asset. Conversely, failure to follow through on threats tends to undermine one's credibility and paradoxically may increase the likelihood that one must actually expend resources to gain desired compliance.

Coalition builders may therefore prefer carrots to sticks. Specific inducements are often traded for open or covert support (or inaction) in coalition-building situations. The carrot may be an upfront quid pro quo, or a portion of the spoils of success, or a future favor. Carrots may also be used to "divide and conquer" opposing coalitions. If some members of an opposing coalition are not bound to the rest by strong shared interests, then these less committed parties may be induced to switch sides. A variation of this tactic involves driving a wedge between two or more less committed members on an opposing coalition.

4. Information:

Power flows to those who control others' access to information. Coalition formation can, for example, be encouraged or impeded by controlling communications among potential allies or adversaries. This "process opportunism" is possible because there are actual or *de facto* restrictions on communications and the order and conditions of negotiating." (Lax and Sebenius 1991). Parties may not be able to communicate directly with each other, or may not recognize the need for such communication. Coalition builders can, for example, initiate meetings among potential allies, while excluding potential adversaries. In addition to controlling interactions among parties, coalition builders may use privately held information, such as intelligence assessments, to shape, reinforce, or change the beliefs and attitudes of other parties.

5. Framing:

In framing, a coalition builder uses persuasive arguments to shape potential recruits' interpretations of events. In essence, the coalition builder attempts to establish the basic framework of issues and assumptions that guides an audience's subsequent actions. Framing is effective when it creates compelling interpretations of events, people and situations, or attractive visions of desirable futures. People accept a frame when it fits (perhaps even reinforces) their preconceived beliefs and attitudes, or when it provides an anxiety-reducing way of understanding a complex, unfamiliar or uncomfortable situation. To change the persuadee's beliefs and attitudes, the persuader therefore has to relate the desired change to existing "anchors," ideas and beliefs that the prospective persuadee already accepts as true and important.

Coalition Building



6. Deference:

People often defer to expert. In part, this is because experts have superior access to information through their knowledge of sources and networks of connections. Experts are also trained to use powerful conceptual frameworks to interpret complex issues and events (e.g., law, engineering, political elections, business), and can therefore help non-experts make sense of the world. In addition, experts have source credibility because of their credentials, their ability to create an image of confidence and certainty, and their track records of providing valuable advice or direction.

Authoritative analysis has similar properties as expertise. Analysis provides information and frames particular issues, often in ways that are favorable to the partisans who sponsored the research. At the same time, analysis comes bundled with the credibility of both the expert source that produced it, and the analytical methodologies, such as statistics and economics, employed by the analyst.

7. Commitments:

People have an inherent need to maintain external consistency between their commitments and their subsequent actions, and internal consistency between their private beliefs and their public behavior. Social psychologists, such as Zimbardo and Leippe, believe that people's actions, especially those made in public, establish an image that they want others to have of them. Subsequent actions are taken to maintain consistency (or at least the appearance of consistency) with this image. Once we have made a choice, or taken a stand, we will encounter personal and interpersonal pressures to behave consistently with that commitment. These needs for consistency can be used in the process of building and maintaining a coalition.

8. Relationship Networks

Individual decision makers are usually embedded in networks of relationships that strongly shape their actions. For a given decision maker, it is usually possible to find someone from whom the person receives advice, or to whom he or she defers or is in some way obligated. By analyzing decision makers' webs of relationships, it is often possible to discern who possesses influence over a potential recruit, and who, in turn, influences the influencers. A coalition builder's current investments in relationship building may therefore yield returns in the form of future support. By doing favors for a party', for example, the coalition builder initiates the cycle of obligation. By providing important information or good advice, the coalition builder begins to build a relationship of trust and expertise. In addition, knowledge of relationship networks may permit a coalition builder to convey important information through multiple channels.

Coalition Building



9. Time and Sequencing

Sequence in which parties are approached to join a coalition matters a great deal. Sequence matters because parties' assessments of the potential returns to be realized from joining a coalition, and the likelihood of the coalition succeeding, are both influenced by knowledge of who has already joined (or decided not to join). Third parties' commitments to participate (or not to participate) convey important information both about a coalition's substantive seriousness and about the social desirability of becoming a member of the 'club.' Third parties' commitments also convey information about the availability of critical resources, and hence the probability of success. This is important, because failure of a coalition to achieve its goals may leave members worse off than the status quo ante, either because resources invested are lost, or because other parties to the conflict impose penalties on the losers. As the existing resource base of a coalition increases, the likelihood of success increases. As more parties join, membership in the coalition therefore becomes attractive to more risk-averse other parties. Ultimately, a threshold may be crossed and wholesale movement to the winning side takes place as parties "jump on the bandwagon." In developing a sequencing strategy, one might either start with parties that are hard to recruit or start with parties that are easy to recruit. If a hard party's support is critical, and if its support will lead many other parties to join, then the coalition builder may be better off proceeding from hard-to-easy. If, on the other hand, the support of several easy parties encourages harder-to-recruit parties to "jump on the bandwagon" then the coalition builder may be better off proceeding from easy-to-hard.

Coalition Building



SOURCES OF POWER IN COALITION BUILDING AT A GLANCE

FACTORS	SUPPORTING	IMPE DING
Shared Interests	Ability to promote or block the recognition of shared interests	Opponents ability to promote or block the recognition of shared interests
Carrot and Stick	Ability to use promises and threats	Opponent's ability to use promises and threats
Information	Control of patterns of communication and privately held information	Opponent's control of patterns of communication and privately held information
Framing	Use of language and argumentation to evoke interests and to appeal to emotions	Opponent's use of language and argumentation to evoke interests and to appeal to emotions
Deference	Use of expertise, identifications, and authority to secure people's support	Opponent's use of expertise, identification, and authority to secure support
Commitments	Use of people's sense of obligations and desire to follow through on commitments	Opponent's use of people's sense of obligation and desire to follow through on commitments
Relationship Networks	Use of people's network of relationships to build bridges and to leverage	Opponent's use of people's relationship network.

Coalition Building



Some Rules of Thumb for the “Weak” in Negotiations

1. To increase your power, build relationships with third parties.
2. Choose your friends carefully, consider their interests and beware of your adversary's adversaries.
3. Your aggregate power is less important than your power with regards to the specific issues on the table and the degree of commitment you have toward them
4. Getting the stronger side's attention at the highest level is often a first step to increase your power.
5. The stronger side's very size and complexity offers opportunities to increase your power
6. You can sometimes stake positions taken by stronger side in other arenas to increase your power.
7. The power value of a specific resource changes over time so choose your moment carefully to act.
8. Augment your power by taking initiative.
9. Foster an increased commitment to negotiated settlement on the part of the stronger party.

The Training Materials:

1. Lamor exercise below.
2. Three Coalition Parties Exercise.
3. The PowerPoint Slides (Attached with the Book)
4. Studying the Coalition building case in 1991.

Coalition Building



Lamor Channel

The Rules for applying Lamor Channel Exercise:

1. 15 minutes for reading the general instructions.
2. 30 Minutes for Discussing the General instructions and Dividing participants per roles.
3. 45 Minutes for discussions inside groups that are divided in accordance with roles, to discuss each role interests and the possible coalitions.
4. 75 Minutes for Groups Negotiations, each Group consists of six parties by roles.
5. Each Group has the right to choose the person who manages their negotiation session and it is not necessary that the party who invited for the meeting is the Session manager.
6. During the negotiation session among parties, each two parties have the right to go for aside negotiation and they are not allowed to negotiate together privately another time.
7. During the negotiation Period there is a possibility to vote three times and the final Vote is the obligated one and its results will be the final results.

The project can be implemented only if:

- Six parties have had an agreement (all of them)
- Five Parties have had an agreement (they can exclude one of the parties but not the main three parties; the governor, MRM and the company)
- Any agreement among less than five parties, will not be considered successful and will not lead to project implementation.

Coalition Building



The Following table has to be used for identifying the relationship map among parties and what are the possible coalitions that can be built (this copy is for the Labor Union, so it is needed to use similar ones to other parties)

To what extent my interests aligned with other parties interests

Parties	employment Interest	industry Interest	Compensation Interest	Environment Interest	Loan Interest
Canal Co.					
MRM					
Governor					
Environment association					
Land Owners Council					

A – Aligned:

O – opposed :

D – Different : ~~Aligned~~

Labor Union

Coalition Building



THE LAMOR CANAL

GENERAL INFORMATION FOR ALL INTERESTED PARTIES

A consortium, Canal Inc., is interested in building and operating a 52 km long irrigation canal in the Lamor province of Debreezistan. The canal will start from the Baral Lake and deliver much needed water to the cotton and rice growing communities at the southern end of the Lamor province and its capital Lamor City. Canal Inc has already engaged in some preliminary planning and design work, but cannot proceed without a license issued by the Licensing Agency (LA). The LA will issue such a license to Canal Inc only if the consortium can secure the support of at least four of the five other interested parties. The projected cost of the canal is roughly \$40 million.

THE PARTIES

Canal Inc is excited about the prospect of building an irrigation canal in the Lamor province. This canal could generate substantial profits within five years after operations begin. (Canal Inc bases its projections on an independent study by a Spanish agricultural firm) Canal Inc believes the local, regional, and national economies could benefit from a canal that would dramatically increase agricultural production in the Lamor province. In addition, once the canal is operational and cotton production increases Canal Inc plans to build a large textile factory, storage facilities, roads and other infrastructure for one of the transnational giants. Five other parties, however, have an interest in the canal. Each would like to exert some influence over the terms of Canal Inc's application for a license.

The Association for Environment and Cultural Heritage Protection: This coalition of environmental interest groups is generally opposed to any development projects which might threaten fragile ecosystems. The Association is worried the proposed canal would seriously damage the Baral Lake and result in irreversible consequences including fisheries loss, water and soil contamination, and dangerous levels of polluted sediments. Moreover, there is a Zorturi religious shrine near the Baral Lake. 95% of the population of the Lamor province are practicing Zorturis and make frequent pilgrimages to this second most important shrine. Ecological damage to the lake will have adverse impact on the shrine and may, according to some local experts, even result in significant land erosion and ultimately in the collapse of this ancient structure. The Association will be represented by a member of its Board of Directors.

Local Labor Unions (The Unions): The Unions is generally pleased that new industrial development is being considered for the Lamor province. It anticipates the creation of hundreds of new jobs in the short run and potentially long run. It will argue strongly, however, that these jobs should be reserved for local union members only. The Council will be represented by a member of its Executive Committee.

Coalition Building



Council of Land Owners: The construction of the canal and factory will require land allocation and thus will affect 308 families in the province. An independent firm has made estimates of the compensation for property according to the current real estate market value. The Council is likely to demand full compensation according to the recently proposed amendments to legislation. The Council will be represented by a consultant hired by the Council.

Ministry of Resource Management (MRM): This central government agency has a dual mandate: (1) to help realize the economic potential of the nation's provinces and (2) to preserve the environmental integrity of the country and historical and cultural heritage. The MRM would like to see the canal built in the south and has the resources and authority to subsidize this project. The MRM will be represented by an aide to the Minister.

Governor of the Lamor province: Governor is eager to promote development in the province but is also sensitive to the concerns of organized labor, environmental groups and the Council of Land Owners. Therefore Governor is anxious to see that everyone shares in the benefits of the new canal. The Governor will be represented by a member of the political staff.

The Issues

Preliminary discussions have taken place among Canal Inc and representatives of the other parties. Five issues are of concern to all or some of the parties.

Issue # I.: Industry Mix

The bulk of Canal Inc's revenues associated with the new canal will flow from real estate ventures related to the construction of a modern textile factory, housing for workers and other construction projects. Canal Inc initially requested complete freedom in developing lands allocated for the canal, textile factory and its other facilities. This means that it could develop any mix of industry, including chemical facility for dying textiles and a resource recovery plant. The environmentalists, however, have argued that strict limits should be enforced. Also, the Council of Land Owners has voiced concerns over proximity of chemical textile dying next to the communal cemetery. As a result of these controversies, three options have surfaced:

1. **No restrictions** - no industry would be excluded.
2. **Restricted to medium** - would exclude most dirty production, such as textile dying facility, but would allow Canal Inc to include medium industries such as natural food processing.
3. **Restricted** - would be limited to only ecological tourism and hand made textile manufacturing, "dirty" production would be excluded.

Coalition Building



Issue # II: Ecological Impact

If the present Canal Inc plan is enacted general construction activity and drawing water from the lake would seriously disrupt the "ecologically delicate" balance of the Baral Lake. Damage would most likely include reduction in natural flushing, serious land erosion, adverse affects on existing fisheries, and substantial subsurface geological disruption (caused by drilling and dredging). Canal Inc admits that the new canal would cause some damage to the ecological setting, but also claims that such damage would be within the limits defined by state regulations. Environmentalists counter that the damage would be excessive, and that Canal Inc has no right to disrupt the area.

In light of these arguments, four possible outcomes have been identified:

1. **No ecological restrictions:** This would involve significant disruption to the ecological balance. Fish and animal habitats would be altered and certain types of aquatic flora and fauna would be destroyed. However, all this would take place within existing state regulations.
2. **Some prevention of damage:** This would involve special precautions to divert construction away from the most ecologically delicate areas such as the national park around Zorturi shrine.
3. **Some reconstruction of the ecological setting:** In addition to diverting construction activities, this option would include the relocation or recreation of destroyed coastal habitats.
4. **Significant improvement of the ecological setting:** Like the previous option, this would include activities to prevent ecological damage and maintain the environment. But it would also include a variety of other efforts to improve the local environment, including fisheries management and wildlife protection programs, and active anti-erosion program.

Issue #III: Employment Rules

Construction and operation of the canal and factory is expected to generate hundreds of new jobs in the province. These jobs can be distributed among potential employees in one of four ways:

1. **Unlimited union preference:** Unqualified labor jobs would be reserved for local union workers. This would enable them to claim most of the new jobs generated by Canal Inc.
2. **Union Quota 2: 1:** Significant preference would be given to union members such that the ratio of union to non-union workers in unqualified labor occupations would not be less than 2 to 1.
3. **Union Quota of 1: 1:** Limited preference would be given to union members such that the ratio of union to non-union workers in unqualified labor occupations would not be less than 1 to 1.
4. **No union preference (unrestricted hiring practices):** Canal Inc would be free to hire whomever it chooses. In this scenario, most workers would probably be non-union workers, enabling Canal Inc to maintain the maximum degree of labor flexibility and to reduce expected wage costs.

Coalition Building



Issue #IV: Government Loans

MRM is interested in seeing the canal developed, but has implied that there will be strings attached if it lends money for the project. Canal Inc has requested \$30 million in loans. MRM is considering this, and three other options:

1. **\$10 million**
2. **\$20 million**
3. **\$30 million**
4. **No loan**

Issue # V: Compensation to the Land Owners

In light of the conflict with the Council of Land Owners, five possible options are up for consideration. Canal Inc could provide:

1. **\$6 million (or 100% compensation)**
2. **\$4.5 million (or 75% compensation)**
3. **\$3 million (or 50% compensation)**
4. **\$1.5 million (or 25% compensation)**
5. **No compensation**

This money would be paid by Canal Inc to the Council which will then compensate each individual family based on the current market value of their property.

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE GOVERNOR'S NEGOTIATOR FROM GOVERNOR BATAKO OF THE LAMOR PROVINCE

I am very anxious to see this canal built in our province. Our state has suffered a serious decline in economic activity over the past five years, and a project this size could provide the stimulus for a dramatic economic recovery. (Obviously, I could also benefit personally from a recovery introduced during my tenure in office).

I have spent some time with Canal Inc's people discussing the pros and cons of various design options. Although I support the efforts to build the canal, I have reservations about the existing plan's provisions for organized labor, the environment of the lake, possible negative consequences for the shrine and compensations to the land owners of our province. All three of these groups represent constituencies that are important to me and I would like to help them if I can. However, that may not be possible to meet all the needs of this diverse set of parties. Remember that the agreement of four of the five other parties (including Canal Inc and the Ministry of Resource Management (MRM) if there is a loan) is all that is necessary to go ahead with the project. You are authorized to make tough decisions, so long as you meet the objectives set out below.

Scoring. In order to help you plan your negotiating strategy, my aides and I have constructed a 100-point scoring scheme to illustrate which negotiable outcomes are of greatest and least importance to me. Using "points" allows me to compare the benefits (or costs) of negotiated agreement to my alternative. In this case, it is worthwhile for me to support Canal Inc's proposal only if it generates at least 70 points. Any proposal worth fewer than 70 points would cost me political credibility and/or might deter future development in the state.

Your task is to encourage construction of the canal with substantial federal assistance. Try to earn as many points as possible in this negotiation. I want you to further my legitimate interest as far as possible. I can support projects worth at least 70 points, but that is the bare minimum I can accept.

Note: *You certainly hope to do much better. An agreement worth 90 points or more would delight the Governor. It would also enhance your reputation as a negotiator, improving your chances to eventually seek higher office.*

Government Loans: I firmly believe that the project will not survive in the long run without substantial loans provided by the MRM. I doubt Canal Inc will attempt to construct the port without government financing. If it does, I am afraid the Lamor province may be stuck with a partially completed "white elephant" in 5 to 10 years. The value of these loans is huge. Loans signify an important government commitment to the project. The government is unlikely to abandon a project to which it has committed millions of dollars. In addition, I would like to be able to demonstrate to my constituents that I can bring government money into this province. Thus, even \$10 million in loans would generate significant political benefits for me.

Coalition Building



I have therefore assigned the following points to this issue:

- \$30 million = 30 points
- \$20 million = 20 points
- \$10 million = 10 points
- No loan = 0 points

My best guess is that Canal Inc has the resources to complete the project as long as they receive at least \$10 million in government loans. It is essential, therefore, that we get a MRM commitment to loan at least that amount.

Employment Rules (Distribution of Jobs): Labor unions possess considerable clout in our province, and union members are reliable supporters of my political party. Though I would prefer to see the union get all it has requested, I am most anxious to see that Canal Inc at least guarantees the union a substantial presence in the work force. If the unions get a substantial presence (i.e. at least a preference of 1:1), they should have little trouble consolidating and improving their share of the canal's and factory's work force.

I have therefore assigned the following points to this issue:

- Unlimited union preference = 20 points
- Union quota of 2:1 = 15 points
- Union quota of 1: 1 = 10 points
- No union preference = 0 points

Industry Mix: I am concerned about putting demands on industry that are much in excess of existing regulations. The development proposed by Canal Inc will be a significant boom to our local economy. We should remember that Canal Inc will have to abide by existing environmental regulations no matter what industries it chooses to develop.

However, environmentally sensitive people are a part of my core political constituency. Fifteen years ago the Baral Lake was full of pollution. Environmental legislation, enacted under my stewardship, has dramatically improved the situation. Now, the environmentalists are supporting a still higher standard for determining where industries should be allowed to locate. I feel that many of the environmental groups may be going too far.

Moreover, I suspect that there is a high correlation between the industries which environmentalists claim are heavy and those which provide the most union jobs; heavy industries are often both labor-intensive and highly unionized. Canal Inc's analysts are convinced that a diverse industry mix, including heavy industries such as textile chemical dying facilities, cellophane packaging production and others could provide the greatest economic stability and revenue over the long run. The problem is that the direct and indirect impacts on the environment (including noise and visual pollution) are substantial.

Coalition Building



I have thus assigned the following points to this issue:

- No restrictions on industry mix = 15 points
- Restricted to medium = 20 points
- Restricted = 5 points

Ecological Impact: The issue of ecological impact is difficult for me. I want to encourage economic development and do not want to burden Canal Inc with too many costs and restrictions. On the other hand, the supporters of my political party are strongly concerned about environmental degradation of the Baral Lake which may have destructive consequences on the shrine. The core of my political party is practicing Zorturi. If something goes wrong with the ancient shrine, already in very poor condition, people will still blame the canal construction and ultimately me for that. I may lose my own regular voters over this issue. Moreover, the ecology of the lake and conditions of the shrine may be manipulated by the opposition for the next elections. Knowing them well, I do not want to give them such political ammunition. I want to avoid causing harm to the environment if at all possible. Efforts to do at least some reconstruction of the environment could be used to allay public fears about the project, hopefully without compromising Canal Inc's financial viability.

I have therefore assigned the following points to this issue:

- No ecological restrictions = 0 points
- Some prevention = 5 points
- Some reconstruction = 10 points
- Significant improvement = 15 points

Compensation to the Council of Land Owners: This is a very difficult issue for me since it is an important segment of my electorate. Some of the land owners of the province have contributed generously to my electoral campaigns and I do not want to hurt them. I believe Canal Inc missed an opportunity to settle this issue early and remove it from the agenda. It is going to be more difficult now that we have to deal with the Council of Land Owners. To insure transparency and fairness the Council will be reimbursing land owners for losses. Given the personal, professional, and political complications surrounding this issue, I hope that it can be settled by getting Canal Inc to give the Council significant compensation to help land owners make the adjustment. Ideally, I would like to see something in the range of \$4.5 million as compensation. Any more would be excessive and might begin to threaten the financial viability of the project. Less might present political problems for me.

I have, therefore, assigned to this issue the following points:

- \$6 million = 5 points
- \$4.5 million = 15 points
- \$3 million = 10 points
- \$1.5 million = 5 points
- No compensation = 0 points

Coalition Building



I have attached a one-page scoring sheet which summarizes the points assigned to each issue. This information is CONFIDENTIAL! You should not show your scoring sheet to anyone! You may convey some or all of the scoring information to a mediator or any of the other parties, but under no circumstances should you let anyone see your scoring sheet.

Good luck. I am confident that you will negotiate an extremely valuable agreement for me.

Coalition Building



CONFIDENTIAL TO THE NEGOTIATOR FOR GOVERNOR BATAKO POINT SUMMARY AND WORKSHEET

Issue/Option	Total	First Vote	Second Vote	Third Vote
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I. Industry Mix

1) No restrictions	15	_____	_____	_____
2) Moderately restricted	20	_____	_____	_____
3) Restricted	5	_____	_____	_____

II. Ecological Impact

1) No eco restrictions	0	_____	_____	_____
2) Some prevention	5	_____	_____	_____
3) Some reconstruction	10	_____	_____	_____
4) Significant improvement	15	_____	_____	_____

III. Employment Rules

1) Unlimited Union Pref.	20	_____	_____	_____
2) Union quota 2:1	15	_____	_____	_____
3) Union quota 1:1	10	_____	_____	_____
4) No union preference	0	_____	_____	_____

IV. Govt. Loan

1) \$30 million	30	_____	_____	_____
2) \$2 million	20	_____	_____	_____
3) \$10 million	10	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____

V. Compensation to Land Owners

1) \$6 million	5	_____	_____	_____
2) \$4.5 million	15	_____	_____	_____
3) \$3 million	10	_____	_____	_____
4) \$1.5 million	5	_____	_____	_____
5) No compensation	0	_____	_____	_____

Coalition Building



Minimum needed for an agreement = 70 points.

This is your minimal score. Anything less than 70 will mean you have failed. Results of the last vote will be final and binding.

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE CANAL INC. NEGOTIATOR FROM THE BOARD OF DIRECTORS OF THE CANAL INC.

In our minds, the public benefits of this canal are so obvious that we are surprised that Licensing Agency is hedging on our application. Unfortunately, as a result of political pressure, we are forced to negotiate. Clearly we want to keep our costs low by securing substantial government assistance. We are very concerned that we will not be able to meet all the needs of this diverse set of parties and still have a viable project. Remember that you only need the agreement of four other parties, including the Governor and the Ministry of Resource Management, to go ahead with the project.

Scoring. In order to help you plan your negotiating strategy, we have constructed a 150 point scoring scheme to illustrate which negotiable issues are of greatest and least importance to us.

The point system allows us to compare the value of negotiated agreements to our alternatives. For example, we should pursue this particular project only if we can secure an agreement worth at least 55 points to us. Any agreement worth fewer than 55 points would not be worth pursuing. We would be better off pursuing alternative investment opportunities (such as the new international airport being considered for the capital of the northern province of Timbut). Try to earn as many points as possible in these negotiations. We want you to further our legitimate interests as far as possible.

Note: You certainly hope to do much better than 55 points. An agreement worth 75 points would delight your superior and increase your chances of promotion. It would also contribute to your public reputation as an effective negotiator.

Government Loans: Up until a few months ago, we thought the MRM would be more than happy to help finance the canal. MRM officials had initially hinted that they would consider underwriting 75% of our costs (or \$30 million); in fact, low-level officials at the MRM gave us a tentative commitment to this amount, then later backed away.

Since then, MRM officials have downplayed their original enthusiasm and have hinted that they will not provide financial support unless certain conditions are met. Unfortunately, we do not yet know what these conditions are.

Coalition Building



We have requested a \$30 million loan, which will secure the investments of our consortium members, increase our ability to attract other investors, and ensure the long-run success of the project. The financial stability of the project is directly proportional to the size of the government loan. The federal money allows us to pay our bills in the early stages, and protects our credit status if we need to borrow private funds at a later date. In addition, once the federal government has poured that much money into a project, it is unlikely to abandon the investment.

The entire project is expected to cost \$40 million in current dollars. At present, we have firm commitments from private investors which should generate at least \$10 million for the project. If pressed, we could probably muster up to \$20 million should the MRM offer us only \$20 million in loans. Should the MRM try to offer us only \$10 million, however, we could be in serious trouble. There are not enough private investors currently interested in contributing to our project to make up the difference. If forced to raise \$30 million, we would be faced with the prospect of trying to borrow the last \$10 million at exorbitant rates. If we received no federal financial assistance, the project would be essentially dead.

The MRM is a new agency, which needs to establish its institutional credibility. Its explicit purpose, as stated in the MRM mandate, is to promote economic development and environmental responsibility in underdeveloped provinces. MRM officials are looking for a large, successful project to bolster their standing in the Parliament. We can assume, therefore, that they want to help us almost as much as we want their assistance. If we play our cards right, the folks at the MRM should be begging us to allow them to lend us the money.

We have therefore assigned the following points to this issue:

- ~ \$30 million guaranteed loan = 30 points
- ~ \$20 million guaranteed loan = 25 points
- ~ \$10 million guaranteed loan = 10 points
- ~ No loan = 0 points

The distribution of points reflects our belief that getting at least two billion dollars of loans is critical.

Compensation to the Land Owners: Obviously, we do not want to pay a huge amount compensation to these people since it diverts money from our project. We believe that the Council representing 308 families has submitted high estimates of their anticipated losses due to the construction of the canal. The current independent assessment is not so much based on the real market prices as on opportunity costs to owners. They claim they will lose roughly \$6 million but in our present estimation it is not at all clear that they will be hurt that badly by our project. In fact, with a more diversified compensation scheme some of these families could purchase housing in the potentially booming capital of the Lamor province and its suburbs where housing market in five years will be going through the roof.

Coalition Building



You should keep in mind, however, that the land owners are not as threatening to our interests as the unions and the environmentalists. Moreover, some of the families are quite influential and could be future allies in promoting overall regional development. Also, keep in mind that the land owners have significant political support. The Governor has many constituents among them. Also, the Council of Land Owners may get a sympathetic hearing from the MRM, which is susceptible to pressure from parliamentarians representing these districts. If we were to go strictly by existing laws, there could be no compensation to the land owners, just government subsidized apartments for them. We believe that the Land Acquisition Act, 1952 is not fair. In the next six months Parliament is expected to adopt amendments to this Law which will make compensation for private property mandatory. We would like to treat the land owners fairly but within reasonable limits.

Taking all these factors into consideration, we have assigned the following range of points to the options under this issue:

- ~ \$6 million compensation = 0 points
- ~ \$4.5 million compensation = 5 points
- ~ \$3 million compensation = 15 points
- ~ \$1.5 million compensation = 25 points
- ~ No compensation = 35 points

Employment Rules (Distribution of Jobs): We are strongly opposed to any restrictions on our hiring practices. In order to be a viable economic enterprise we will need the utmost flexibility; we cannot go into this project with our hands tied behind our backs. No one person or organization should be allowed to dictate who we hire.

We hope to be free to hire the best people for the construction and operation of the canal. Apparently the Unions want us to guarantee all new jobs to union workers.

We have assigned the following points to this issue:

- ~ Unlimited union preference = 0 points
- ~ Union quota of 2:1 = 5 points
- ~ Union quota of 1:1 = 15 points
- ~ No union preference = 30 points

As you negotiate on this issue, keep in mind that the unions strongly supported the Governor in the last election.

Industry Mix: We are not arguing for any fixed combination of industries over another. Rather, we are arguing for the freedom to develop any combination of industries we choose. Under this scenario, we could develop those industries most likely to generate revenues for the province, those most likely to resist fluctuations in the economy, and those most likely to benefit from access to the canal and jobs on the textile factory and its subsidiaries.

Coalition Building



The Association for Environment and Cultural Heritage Protection, however, would have us limit our industry mix to a narrow base of "light" industries. This would prevent us from pursuing the most profitable industry mixes and could make the project highly vulnerable to fluctuations in the business cycle. We have no intentions of allowing any industry associated with the port to disobey existing environmental rules and regulations. We believe that, once equipped with pollution control devices, all industries are clean.

We have therefore assigned the following points to each of the industry mix options up for discussion:

- ~ No restrictions on industry mix = 25 points
- ~ Restricted to medium = 15 points
- ~ Restricted = 0 points

Ecological Impact: We have tried to be sensitive to environmental concerns by planning construction so as to avoid unnecessary disruption. We have also planned to meet existing federal and state standards. We do not propose to break the law.

Losing on this issue could cost us a significant amount of money, since it could force us to alter our construction plans in very costly ways. In addition to the monetary concerns, we have some ideological feelings about this issue. The Association is trying to manipulate the issue of the shrine and mobilize support playing on religious sensitivities for their demand that we foot the bill for "improvements" which, if appropriate, are properly the responsibility of the government, not the business community. We do not think it is our responsibility to improve the lake's ecology and take care of the shrine.

We are concerned that the Association may get a sympathetic hearing from other key parties in the negotiation. After all, the MRM is mandated to encourage environmentally sound development. Also, many of the Governor's supporters are known as religiously very sensitive people.

In light of these concerns we have assigned the following points to this issue:

- ~ No ecological restrictions = 30 points
- ~ Some prevention = 15 points
- ~ Some reconstruction = 5 points
- ~ Significant improvement = 0 points

A one-page scoring sheet has been attached which summarizes the points we have assigned to each of the five issues. This information is CONFIDENTIAL! You should not show your scoring sheet to anyone! You may convey some or all of the scoring information verbally to a mediator, or to any other party, but you should not let anyone see your scoring sheet.

Good luck. We are confident that you will negotiate an extremely valuable agreement for us.

Coalition Building



**CONFIDENTIAL TO THE NEGOTIATOR FOR “CANAL, INC.”
POINT SUMMARY AND WORKSHEET**

Issue/Option	Total	First Vote	Second Vote	Third Vote
I. Industry Mix				
1) No restrictions	25	_____	_____	_____
2) Moderately restricted	15	_____	_____	_____
3) Restricted	0	_____	_____	_____
II. Ecological Impact				
1) No eco restrictions	30	_____	_____	_____
2) Some prevention	15	_____	_____	_____
3) Some reconstruction	5	_____	_____	_____
4) Significant improvement	0	_____	_____	_____
III. Employment Rules				
1) Unlimited Union Preference	0	_____	_____	_____
2) Union quota 2:1	5	_____	_____	_____
3) Union quota 1:1	15	_____	_____	_____
4) No union preference	30	_____	_____	_____
IV. Govt. Loan				
1) \$30 million	30	_____	_____	_____
2) \$20 million	25	_____	_____	_____
3) \$10 million	10	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____
V. Compensation to Land Owners				
1) \$6 million	0	_____	_____	_____
2) \$4.5 million	5	_____	_____	_____
3) \$3 million	15	_____	_____	_____
4) \$1.5 million	25	_____	_____	_____
5) No compensation	35	_____	_____	_____

Minimum needed for an agreement = 55 points.

This is your minimal score. Anything less than 55 will mean you have failed. Results of the last vote will be final and binding.

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE AIDE TO THE MINISTER OF RESOURCE MANAGEMENT

Canal Inc's recent application to build and operate a canal in the Lamor province is very intriguing. We are certainly interested in seeing the canal and subsequently textile enterprise developed. Unfortunately, some of our lower level staff appeared overeager in initial discussions with Canal Inc and would have gladly committed our entire budget to this venture had the Deputy Minister not stepped in!

This meeting seems a perfect opportunity to test the strength of Canal Inc's commitment to the project and gain some concessions in return for funding. Given our dual mandate - to develop our country's resources while preserving the environment, historical and cultural heritage - we will probably seek some concessions from Canal Inc on industry mix and environmental impact issues, and on compensation to land owners. We are concerned, however, that it may not be possible to meet all the needs of the diverse set of parties to this negotiation. Remember that the agreement of four of the five other parties (including Canal Inc and the Governor) is all that is necessary to go ahead with the project. You are authorized to make tough decisions, so long as you meet the objectives set out below.

Scoring. In order to help you plan your negotiating strategy, our policy analysts have constructed a 110- point "scoring" scheme to illustrate which negotiable outcomes are of greatest and least importance to us.

Using a point system allows us to compare the benefits and costs of potential negotiated agreement with our alternatives. In this case, we would be willing to support any proposal worth at least 75 points to us. Any project worth fewer than 75 points would cost us credibility in the Parliament, or would probably fail for lack of economic and political support. There are also several other projects that we could pursue should we opt against funding this particular project.

Try to earn as many points as possible in this negotiation. We want you to further our legitimate interests as far as possible. We can support projects worth at least 75 points, but that is the bare minimum we can accept.

Note: *You hope to do much better than 75 points. An agreement worth 90 points or more would delight the Minister and enhance your reputation as a negotiator. Since you aspire to rise in the Ministry, such exposure has great value for you.*

Government Loans: This issue is obviously of paramount importance to us. Our preference would be have at least some financial involvement in the project in order to retain a measure of control. Furthermore, if we support the canal and it is successful, our institutional credibility will rise considerably. This is particularly important to our Ministry at this time because we are so new. Similarly, the current administration would also like to claim credit for encouraging modernization of underdeveloped provinces.

Coalition Building



Fortunately, we have complete control over government support for projects of this nature. **Thus we can effectively veto any agreement that includes government loans of any amount.** The canal appears to be a worthwhile project warranting our support.

Unfortunately, we do not have unlimited funds to bestow on this project, and so have assigned the following points to this issue:

- \$30 million loan = 0 points
- \$20 million loan = 25 points
- \$10 million loan = 45 points
- No loan = 0 points

As indicated by the point distribution, we would definitely prefer some financial involvement to none.

But our parliamentary oversight committee is anxious to see significant private sector involvement in all projects we underwrite. Consequently, our first choice is to provide just \$10 million. While Canal Inc will have a somewhat difficult time raising \$30 million, it should not be impossible. (We think they already have almost \$20 million in potential commitments lined up.)

Yet, while the \$10 million loan is our optimal outcome, we might be able to support a loan of \$20 million, but only if we get significant concessions on other issues that we care about. We definitely cannot support a loan for \$30 million, since it would concentrate too many of our eggs in one basket. In addition to the canal, there are several other projects planned in both south and north of our country. We need to spread our budget across as many worthwhile projects as possible. Supporting these projects would prove especially beneficial from a political perspective, because they would diversify our support across many electoral districts.

Ecological Impact: In light of our dual mandate, we cannot accept a canal which might cause substantial damage to the environment of the lake. This issue can be easily politicized and manipulated by the opposition to this administration. On the other hand, we do not want to burden Canal Inc with so many restrictions that it threatens the economic viability of the project. We feel very strongly that the Baral Lake must be protected. We believe it is possible to construct an economically viable canal without wreaking havoc on the ecology of the province.

We have therefore assigned the following points to this issue:

- No ecological restrictions = 0 points
- Some prevention = 15 points
- Some reconstruction = 20 points
- Significant improvement = 25 points

As you can see, we are not adverse to improvements. We can, after all, win some political capital if improvements take place. But we are far more concerned that Canal Inc. at least agrees to do some prevention of damage. Improvements would be "icing on the cake."

Coalition Building



Compensation to the Land Owners: This is a tricky issue for us because the three hundred families in the area of canal construction are part of an important electorate. We do not want to alienate members of Parliament from this province. We would therefore be somewhat reluctant to sign an agreement that specifically excludes compensations from consideration. On the other hand, we do not want to jeopardize the economic viability of the canal project by imposing huge compensation costs on it. Since this compensation would be paid "up front," it could pose a substantial burden for the developer. Consequently, we prefer the compromise solutions to either of the two extremes. Our analysts suggest that, in fact, the independent firm has over-estimated their projected losses. We think a fair solution would be compensation of roughly \$3 to \$4.5 million.

The following points are assigned to the various compensation levels proposed:

- \$6 million = 5 points
- \$4.5 million = 15 points
- \$3 million = 10 points
- \$1.5 million = 5 points
- No compensation = 0 points

Industry Mix: This issue is moderately important because of its impact on the environment. Hence we would strongly prefer to avoid a heavy industry mix, especially if the planned factory is going to have a dying facility and chemical waste. But while our mandate requires us to be sensitive to environmental concerns, we need not be overly sensitive. We think the demands of the Association for Environment and Cultural Heritage Protection may be a bit extreme on this issue. Equally, the Council of Land Owners is trying to put inappropriate pressure on Canal Inc regarding communal cemetery that may end up neighboring some of the textile factory subsidiaries. They have unsubstantiated fears that waste from these productions will end up on the graves of their ancestors. While we agree that the light industry mix would create the least environmental damage, it would also unduly limit Canal Inc's flexibility. Too narrow a mix would make the canal extremely vulnerable to fluctuations in the economy. We therefore would prefer to support the medium option.

We have assigned the following points to this issue:

- Unrestricted industry mix = 5 points
- Restricted to medium = 25 points
- Restricted = 10 points

Employment Rules (Distribution of Jobs): Compared to the other issues in this negotiation, this is a minor issue for us. Since we are indifferent to the outcome, no points are gained or lost on this issue.

We have attached a one-page scoring sheet which summarizes the points assigned to each issue. This information is CONFIDENTIAL! Do not show your scoring sheet to anyone! You may convey some or all of your scoring information to a mediator or to any of the other parties, but do not let anyone actually see your scoring sheet.

Good luck. I am confident that you will negotiate an extremely valuable agreement for us.

Coalition Building



CONFIDENTIAL TO THE NEGOTIATOR FOR THE AIDE TO THE MINISTER OF RESOURCE MANAGEMENT POINT SUMMARY AND WORKSHEET

Issue/Option	Total	First Vote	Second Vote	Third Vote
I. Industry Mix				
1) No restrictions	5	_____	_____	_____
2) Moderately restricted	25	_____	_____	_____
3) Restricted	10	_____	_____	_____
II. Ecological Impact				
1) No eco restrictions	0	_____	_____	_____
2) Some prevention	15	_____	_____	_____
3) Some reconstruction	20	_____	_____	_____
4) Significant improvement	25	_____	_____	_____
III. Employment Rules				
1) Unlimited Union Preference	--	_____	_____	_____
2) Union quota 2:1	--	_____	_____	_____
3) Union quota 1:1	--	_____	_____	_____
4) No union preference	--	_____	_____	_____
IV. Govt. Loans				
1) \$30 million	0	_____	_____	_____
2) \$20 million	25	_____	_____	_____
3) \$10 million	45	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____
V. Compensation to the Land Owners				
1) \$6 million	5	_____	_____	_____
2) \$4.5 million	15	_____	_____	_____
3) \$3 million	10	_____	_____	_____
4) \$1.5 million	5	_____	_____	_____
5) No compensation	0	_____	_____	_____

Minimum needed for an agreement = 75 points.

This is your minimal score. Anything less than 75 will mean you have failed. Results of the last vote will be final and binding.

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE NEGOTIATOR FOR THE CONSULTANT REPRESENTING THE COUNCIL OF LAND OWNERS

We are very skeptical about the benefits Canal Inc claims we will realize from this new canal under the existing development plan. In fact, our analysts suggest that 308 families could suffer substantial losses under most compensation schemes that have recently surfaced. Debreezistan still has legislation on land acquisition inherited from the days of authoritarian rulers. The Land Acquisition Act, 1952 addresses the issue and takes a broad definition of "public purpose" permitting a diverse range of projects. In this legislation, land acquisition refers to the process by which the government forcibly acquires private property for public purpose without the consent of the land owner, which is different from a market purchase of land. If this Act were applied to our condition, the Council and families may get no compensation. This will mean that the government can simply offer apartments to our families in subsidized housing projects in the suburbs of the capital. This is a disastrous scenario since in our culture land ownership is almost sacred. Even more important in our traditions is preservation of communal cemeteries. While construction of the canal will require our resettlement to other parts of the province and with a sufficient compensation losses could be minimized, construction of the textile factory and especially its subsidiaries is going to be in the immediate proximity to the communal cemetery. The grave cannot be relocated according to the Zorturian religion. Locating production facilities with chemical waste next to the graves of our ancestors is totally unacceptable for any Zorturian. Some of our influential Council members have lobbied successfully in the Parliament to have application of this outdated Law to our case suspended. In our preliminary discussions representatives of Canal Inc agreed with us that this draconian Law is inappropriate under new conditions of democracy and market economy. Although a new amendment to the Land Acquisition Act has yet to be adopted by the Parliament during next session in six months, following a preliminary understanding among major players an independent firm has made estimates of the compensation for property according to the current real estate market value. Their estimate puts compensation in a range from \$4 to \$6 million. The Council demands full compensation according to the proposed amendment to the legislation that makes compensation for private property mandatory. However, this does not mean that the no compensation option has been already eliminated. What is worse it has been rumored that the amendment may not have retroactive force.

We are not completely opposed to the idea of canal and textile factory construction if our conditions were met. If, for example, Canal Inc agreed to (1) provide us with substantial direct compensation and (2) limit the industry mix we could support this project.

We are therefore sending you to this meeting with a two-fold purpose. First, we hope that you will win sufficient compensation for us. If, however, it proves impossible to win these concessions, we hope you can derail the negotiations and prevent Canal Inc from securing enough support for its LA application. We also expect that you will get some support for our claims from the Governor, since many workers employed in the other ports are loyal supporters. You should also get some support from the Ministry of Resource Management, since their mandate involves promoting development that preserves national heritage. In some ways the Association for Environment and Heritage Protection can be our natural ally although they are more concerned about Lake Baral and the shrine in the north of our province.

Coalition Building



Scoring. In order to help you plan your negotiation strategy, we have constructed a scoring scheme to illustrate which negotiable outcomes are of greatest and least importance to us. Using "points" allows us to compare the benefits (or costs) of the negotiated agreement to our alternatives. In this case, it would be worthwhile for us to support Canal Inc's proposal only if it yields at least 65 points to us; agreements worth less to us would be disastrous. If faced with a proposal worth fewer than 65 points, we would rather leave the negotiating table and sue for compensation in the courts.

Note: You personally hope to do much better than 65 points. An agreement worth 80 points or more would delight the Council and land owners and enhance your reputation as a negotiator. Since you aspire to represent other associations in the future, this has great value for you.

Keep in mind that only five of the six parties to the negotiation (including Canal Inc, the Governor and the MRM if there is a loan) have to agree to a proposal for it to be politically acceptable. This means that we need allies if we are to be successful in either getting a favorable agreement or blocking the project.

Compensation to us: This is by far the most important issue for us. We would need \$6 million (in current dollars) to compensate land owners for our anticipated losses. The average plot of land and house is worth about \$20 000.

We have therefore assigned this issue the following points:

- ✓ \$6 million = 70 points
- ✓ \$4.5 million = 45 points
- ✓ \$3 million = 25 points
- ✓ \$1.5 million = 10 points
- ✓ No compensation = 0 points

Government Loan: If the project is destined to go forward, then we would like to see the maximum possible government financing. More money in the project means more money available to compensate the land owners. Without a substantial loan from MRM, Canal Inc will not be able to meet our needs.

Coalition Building



We have, therefore, assigned this issue the following points:

- ✓ \$30 million = 20 points
- ✓ \$20 million = 15 points
- ✓ \$10 million = 10 points
- ✓ No federal loan = 0 points

Industry Mix: We would like Canal Inc's freedom to develop the textile factory and its subsidiaries constrained significantly. If chemical dying and other dirty productions are placed as planned near our communal cemetery, the damage can be irreversible.

We have assigned the following points to this issue:

- ✓ No restrictions on industry mix = 0 points
- ✓ Restricted to medium = 15 points
- ✓ Restricted = 20 points

The point spread also reflects the fact that we would like to prevent Canal Inc from developing "mildly dirty" food processing plants which could compete with our own.

Employment Rules and Ecological Impact: These last two issues are of very minor concern to us, relative to the other issues up for discussion. We do not care enough to assign the points to this issue. Nevertheless, you should probably treat these issues with caution, for we do not want to antagonize potential allies, especially the Association for Environment and Heritage Protection. In fact, some of their rhetoric fully resonates with our own concerns about national heritage, traditions and need to maintain clean ecology.

A one page scoring sheet has been attached which summarizes the points we have assigned to each of the five issues. This information is CONFIDENTIAL! You should not show your scoring sheet to anyone! You may convey some or all of the scoring information verbally to a mediator, or to any other party, but you should not let anyone see your scoring sheet.

Good luck. We are confident that you will negotiate an extremely valuable agreement for us.

Coalition Building



CONFIDENTIAL TO THE NEGOTIATOR FOR UNION OF LAND OWNERS POINT SUMMARY AND WORKSHEET

Issue/Option	Total	First Vote	Second Vote	Third Vote
I. Industry Mix				
1) No restrictions	0	_____	_____	_____
2) Moderately restricted	15	_____	_____	_____
3) Restricted	20	_____	_____	_____
II. Ecological Impact				
1) No eco restrictions	--	_____	_____	_____
2) Some prevention	--	_____	_____	_____
3) Some reconstruction	--	_____	_____	_____
4) Significant improvement	--	_____	_____	_____
III. Employment Rules				
1) Unlimited Union Pref.	--	_____	_____	_____
2) Union quota 2:1	--	_____	_____	_____
3) Union quota 1:1	--	_____	_____	_____
4) No union preference	--	_____	_____	_____
IV. Govt. Loan				
1) \$30 million	20	_____	_____	_____
2) \$20 million	15	_____	_____	_____
3) \$10 million	10	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____
V. Compensation to Land Owners				
1) \$6 million	70	_____	_____	_____
2) \$4.5 million	45	_____	_____	_____
3) \$3 million	25	_____	_____	_____
4) \$1.5 million	10	_____	_____	_____
5) No compensation	0	_____	_____	_____

Minimum needed for an agreement = 65 points.

This is your minimal score. Anything less than 65 will mean you have failed. Results of the last vote will be final and binding

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE

NEGOTIATOR OF THE ASSOCIATION FOR ENVIRONMENT AND CULTURAL HERITAGE PROTECTION FROM THE ASSOCIATION'S BOARD OF DIRECTORS

We are very concerned about Canal Inc's proposal to construct and operate a canal from the Baral Lake to the south of the Lamor province. The environmental damage resulting from such a development could be substantial. Although we must try to use this meeting to negotiate to improve the environment around the second most important Zorturian shrine, we should prepare ourselves for yet another episode of government-sanctioned degradation.

Initially, we were reluctant to send you to this meeting at all. We don't want to be seen as lending our support to an environmentally harmful project with potentially disastrous consequences for the shrine and national park. On the other hand, your participation in the meeting may help us to prevent the worst possible scenario: an irrigation canal followed by textile factory and chemical processing subsidiaries constructed in a way that would cause serious ecological damage throughout the area. Though it might seem unusual for a group such as ours to support a major development project on the lake, we feel it might be worth lending our support, but **only if** we can negotiate some extra environmental and spiritual heritage protection terms. If, however, it proves impossible to win appropriate environmental protection for the new canal, then we hope you can derail the negotiations and prevent Canal Inc from securing enough support for its LA application.

You should have some clout with the Ministry of Resource Management representative. After all, their mandate requires them to promote development efforts and preserve ecology and heritage. In its present form, the Canal Inc proposal would be an embarrassment to the Minister of Resource Management, a fact that our supporters in Parliament, especially from the opposition, would be happy to help us publicize. You should also get some support from the Governor of our province. Many of the Governor's strongest supporters are concerned about the quality of air and water in the Lake and have actively supported improvement initiatives. They are particularly worried about possible negative impact of the worsening ecology on the shrine and the national park.

Scoring. In order to help you plan your negotiating strategy, we have constructed a special 125-point scoring scheme to illustrate which possible outcomes are of greatest and least importance to us. Using "points" allows us to compare the benefits (and costs) of a negotiated agreement to our alternatives. In this case, we can support the port only if it yields at least 70 points to us. We cannot afford to lend our support to any development project worth fewer than 70 points.

It is possible that this development could actually improve the ecological setting. If, for example,

Canal Inc agreed to prohibit dirty industries from locating at the port and took measures to improve the environment, the development project would be better than the status quo!

Coalition Building



But it is also possible that the development will seriously harm the environment in a variety of ways. In light of the array of options up for negotiation, any project offering fewer than 70 points would be worse than the status quo. In such a case we would prefer to take our chances in court and attempt to block the project.

Your task is to protect the environment. Try to earn as many points as possible in this negotiation. We want you to further our legitimate interests as far as possible. We can support agreements that yield at least 70 points, but that is the bare minimum we can accept.

Note: *You certainly hope to do much better than 70 points. A deal worth 85 points or more would significantly enhance your reputation as a negotiator and give you more visibility in the environmental movement. It could also set an important precedent for future negotiations.*

Keep in mind that only five of the six parties to the negotiation (including Canal Inc, the Governor and the MRM if there is a loan) have to agree to a proposal for it to be politically acceptable. This means that we need allies if we are to be successful in either getting a favorable agreement or blocking the project.

Industry Mix: We are extremely concerned that Canal Inc will secure an LA permit without any restrictions on the type of industries which can do business in the canal and textile factory complexes. We are convinced that, without restrictions, Canal Inc will seek out primarily dirty, but highly profitable industries such as chemical dying and cellophane production.

Eliminating only the worst offenders (i.e., agreeing on a medium compromise) would certainly be a significant improvement over the primarily dirty alternative. However we would still have concerns. The Baral Lake is a critical spawning ground for many rare fish. In addition, the demand for seafood from the region has been growing of late and is an important part of our tourist and export activities. In the last few years, we have made great strides in cleaning the Lake. Tax money has been used for these purposes, and legislation has prohibited the worst case of pollution. It would be a shame if the irrigation canal ruined what we have worked so hard to repair.

We have therefore assigned the following points to the industry mix issue:

- No restrictions on industry mix = 0 points
- Restricted to medium = 15 points
- Restricted = 30 points

Obviously, our first preference is for restricted option which will allow only organic agriculture, hand made crafts and traditional textile production. Though virtually any industry will have some waste to dispose of, the light industries are the least objectionable. Note, however, that even if we attain our preferred outcome on this issue we could not sign an agreement without concessions on the ecological impact issue as well.

Coalition Building



Ecological Impact: Although we are very concerned about the "industry mix" issue, we are even more concerned about the "ecological impact" of the canal. Destruction of the environment will begin long before the industrial use of the canal begins; construction in and of itself could be disastrous. Unfortunately, public at large in our country is not well versed in these issues. Had not there been the problem of the shrine, we would have never been able to mobilize so many people of different political and ideological persuasion in support of our demands.

Disruption of ecological balances will begin as soon as construction on the canal begins, and once the damage is done, it may be very hard or impossible to repair. In contrast, the damage created by the "primarily dirty" industries will not begin until the factories are in operation. We can hope that, by that time, we will have stricter regulations in place.

We have therefore assigned the following points to this issue:

- No ecological restrictions = 0 points
- Some prevention = 20 points
- Some reconstruction = 40 points
- Significant improvement = 60 points

This point spread reflects the value of environmental protection and improvement. It also reflects our desire to score an immediate and visible victory! Our constituent groups would be very impressed if we could win an agreement that protects the environment and the shrine on Lake Baral. Future improvements would unquestionably boost morale and contributions to the Association.

Government Loan: The federal loan is very important to us. More money in the project would allow Canal Inc to profitably operate with a cleaner industry mix. More money would also allow Canal Inc to spend more on protecting and improving the environment. Also, part of the MRM's mandate is to protect and enhance the coastal environment. A larger loan from the MRM means that they will be more involved in the project and this will help to keep Canal Inc honest. Finally, our contacts with MRM will provide an effective conduit for communicating our concerns for the duration of the project.

We have assigned the following points to each loan option:

- \$30 million = 35 points
- \$20 million = 25 points
- \$10 million = 15 points
- No loan = 0 points

Coalition Building



Other Issues: We have no strong feelings about the other two issues - employment and compensation to the land owners for our discussion. Our primary concern is with the environment and national heritage protection. Still, you should probably treat those issues carefully, since we do not want to antagonize potential allies.

A one-page scoring sheet has been attached which summarizes our analysis of the issues. This information is CONFIDENTIAL! You should not show this sheet to anyone. You may convey some or all of the information verbally to a mediator or to any of the other parties, but do not show anyone your scoring sheet.

Good luck. We're confident that you will negotiate an extremely valuable agreement for us.

Coalition Building



CONFIDENTIAL TO THE NEGOTIATOR FOR THE ASSOCIATION FOR ENVIRONMENT AND CULTURAL HERITAGE PROTECTION

POINT SUMMARY AND WORKSHEET

Issue/Option	Total	First Vote	Second Vote	Third Vote
I. Industry Mix				
1) No restrictions	0	_____	_____	_____
2) Moderately restricted	15	_____	_____	_____
3) Restricted	30	_____	_____	_____
II. Ecological Impact				
1) No eco restrictions	0	_____	_____	_____
2) Some prevention	20	_____	_____	_____
3) Some reconstruction	40	_____	_____	_____
4) Significant improvement	60	_____	_____	_____
III. Employment Rules				
1) Unlimited Union Pref.	--	_____	_____	_____
2) Union quota 2:1	--	_____	_____	_____
3) Union quota 1:1	--	_____	_____	_____
4) No union preference	--	_____	_____	_____
IV. Govt. Loans				
1) \$30 million	35	_____	_____	_____
2) \$20 million	25	_____	_____	_____
3) \$10 million	15	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____
V. Compensation to Land Owners				
1) \$6 million	--	_____	_____	_____
2) \$4.5 million	--	_____	_____	_____
3) \$3 million	--	_____	_____	_____
4) \$1.5 million	--	_____	_____	_____
5) No compensation	--	_____	_____	_____

Minimum needed for an agreement = 70 points.

This is your minimal score. Anything less than 70 will mean you have failed. Results of the last vote will be final and binding

Coalition Building



CONFIDENTIAL INSTRUCTIONS TO THE NEGOTIATOR FROM THE LAMOR LOCAL COUNCIL OF LABOR UNIONS

We are excited about the job creation potential of the canal and textile factory with its subsidiaries in the Lamor province. However, Canal Inc's initial proposal is unacceptable to us. Based on our preliminary discussions, it is apparent that the Canal Inc negotiators have a rather naive understanding of the labor movement. They seem to believe that excluding unions will guarantee low wages, that they can bring "cheap labor" from outside the Lamor province. We must educate Canal Inc in the ways of full service unionism; we will not try to "punish" the employers involved in the canal construction. Rather, our interest is in an economically viable canal which creates a good work environment and a large number of high paying union jobs.

The labor movement has been on the decline for a number of years in this country. The project provides the opportunity to send a signal to the nation that a new chapter in labor relations is about to begin, replete with extensive union-management cooperation. We must communicate the message that, while we represent the best interests of the workers, their interests are highly correlated with the success of the canal and textile factory. Furthermore, the canal's success is dependent to a large measure on the happiness and productivity of its employees. Instead of trying to exclude unions from the outset, Canal Inc should be working with us. Governor of the Lamor province Batako is likely to be our strongest ally on this issue. Organized labor has long supported the Governor, and now we expect some support in return.

Scoring, In order to help you plan your negotiation strategy, we have constructed a 100 point scoring scheme to illustrate which negotiable outcomes are of greatest and least importance to us. Using "points" allows us to compare the benefits (or costs) of a negotiated agreement to our alternatives. In this case, it would be worthwhile for us to support an agreement if it yields at least 65 points. But any agreement worth fewer than 65 points would be worse than no agreement at all. We would rather have no agreement than an agreement that makes us look weak and disorganized. If you cannot secure a reasonable agreement then you should attempt to derail the negotiations. Regardless of the outcome, it must be clear to everyone that unions are powerful players in determining the economic future of the Lamor province.

Your task is to encourage construction of the canal while guaranteeing that our interests will be met. Try to earn as many points as possible in this negotiation. We want you to further our legitimate interests as far as possible.

Coalition Building



Note: You personally hope to do much better than 65 points. An agreement worth 80 points or more would delight your membership, significantly enhancing your reputation as a negotiator. Since you aspire to higher office, such exposure has great value for you.

Keep in mind that only five of the six parties to the negotiation (including Canal Inc, the Governor and the Ministry of Resource Management (MRM) if there are any government loans in the package) have to agree to a proposal for it to be politically acceptable.

Of the five issues scheduled to be discussed at this meeting, only three are of direct concern to us: employment rules, industry mix, and government loans. The fourth and fifth issues - compensation to land owners and ecological impact - are not of direct importance, but may prove instrumental in securing allies.

Employment Rules (Distribution of Jobs): Obviously, we are most concerned about the distribution of new jobs created by the port. We would like to see Canal Inc guarantee that all jobs for which union workers are qualified are offered to union workers at union wages. We are strongly opposed to letting Canal Inc employ non-union workers from other provinces and even other countries.

We have assigned the following points to this issue:

- ❖ Unlimited union preference = 50 points
- ❖ Union quota of 2:1 = 35 points
- ❖ Union quota of 1:1= 15 points
- ❖ No union preference = 0 points

Note that winning on this issue is worth half the total points available to us in this negotiation. This is unquestionably the issue that makes or breaks the project for us. We have also assigned fairly high values to first compromise position, a quota of 2:1. If we can secure a critical mass of union presence in the port, then we can quickly convert that into effective control. A quota of 1: 1 would give us a foothold in the port, and would make organizing the rest of the port less difficult than if we were not on-site. However, we expect that it would be several years before we would be able consolidate our power. During this time, Canal Inc would be able to make all the critical decisions about technology, staffing and work rules. This option would make us look weak. The only thing that would be worse is if the project were to go forward with no preference for unions. Such an outcome would be a disaster, not only for us, but for the whole national labor movement.

Coalition Building



Government Loan: There are two reasons why the government loan is an important issue to us. First, the project has a far greater chance of receiving LA approval and getting off the ground if government dollars are involved. Second, the long-term success and stability of the project is likely to be enhanced if the government makes a substantial investment in it. Private investors may be more willing to participate in the project if they see government's involvement, and the government may be less willing to abandon the project in the future if it has a great deal of money "sunk" into the canal. Because the canal cannot succeed without government loans, and because construction of the canal is vital to the local economy, we should try to help Canal Inc secure the largest possible loan.

We have assigned the following points to each loan option:

- ❖ \$30 million = 25 points
- ❖ \$20 million = 20 points
- ❖ \$10 million = 15 points
- ❖ No loan = 0 points

Industry Mix: This issue is important to us because it will determine the number and types of jobs created for our workers. Of the three types of industry mix being discussed, the "no restrictions" mix is the best option from our perspective. This mix would probably include complementary to full cycle textile goods production; food processing and other productions which would create many high paying union jobs.

We have assigned the following points to each industry mix option:

- ❖ No restrictions on industry mix = 25 points
- ❖ Restricted to medium = 20 points
- ❖ Restricted = 0 points

As you can see, the medium mix is a good second-best option in our minds. Though it would create fewer jobs for union workers, it would involve work environments that are far more comfortable and less hazardous than those in the heavy industries. Also, it is still far preferable to the restricted mix, which would create few union-type jobs.

Compensation to the Land Owners: This is a tricky issue for us. Our first allegiance is to our local members, most land owners are not. But you should avoid **publicly** opposing large compensation payments to them, since our brothers and sisters in the Lamor province might be offended. Also, the Council of Land Owners representative is a potential ally because of their influence on the Governor and the MRM.

Coalition Building



Ecological Impact: This last issue is not one that concerns us directly, so we have assigned no points to it. In general, the union supports environmental responsibility. As you enter the negotiations, don't forget that part of the MRM's mandate involves environmental protection. Also, many of the Governor's constituents are concerned about the environment and have supported numerous legislative initiatives to clean up Lake Baral's air and water. It has also become politically very sensitive issue because of the shrine and the impact environmental conditions may have on it. Many members of the Union are

practicing Zorturis and we cannot **publicly** condone this issue given that for us it is yet another point of pressure on the Governor and the MRM.

We have attached a one page scoring sheet which summarizes the points we have assigned to each of the five issues. This information is **CONFIDENTIAL!** You should not show your scoring sheet to anyone! You may convey some or all of the scoring information verbally to a mediator, or to any other party, but you should not let anyone see your scoring sheet.

Good luck. We are confident that you will negotiate an extremely valuable agreement for us.

Coalition Building



**CONFIDENTIAL TO THE NEGOTIATOR FOR THE LOCAL COUNCIL LABOR
UNIONS
POINT SUMMARY AND WORKSHEET**

Issue/Option	Total	First Vote	Second Vote	Third Vote
I. Industry Mix				
1) No restrictions	25	_____	_____	_____
2) Moderately restricted	20	_____	_____	_____
3) Restricted	0	_____	_____	_____
II. Ecological Impact				
1) No eco restrictions	--	_____	_____	_____
2) Some prevention	--	_____	_____	_____
3) Some reconstruction	--	_____	_____	_____
4) Significant improvement	--	_____	_____	_____
III Employment Rules				
1) Unlimited Union Pref.	50	_____	_____	_____
2) Union quota 2:1	35	_____	_____	_____
3) Union quota 1:1	15	_____	_____	_____
4) No union preference	0	_____	_____	_____
IV. Govt. Loan				
1) \$30 million	25	_____	_____	_____
2) \$20 million	20	_____	_____	_____
3) \$10 million	15	_____	_____	_____
4) No Govt. Loan	0	_____	_____	_____
V. Compensation to Land Owners				
1) \$6 million	--	_____	_____	_____
2) \$4.5 million	--	_____	_____	_____
3) \$3 million	--	_____	_____	_____
4) \$1.5 million	--	_____	_____	_____
5) No compensation	--	_____	_____	_____

Minimum needed for an agreement = 65 points.

This is your minimal score. Anything less than 65 will mean you have failed. Results of the last vote will be final and binding.

Coalition Building



A real case about using the Coalition Building Tool:

The Conflicting Parties:

1. The City Council Services Committee head in Diwaniyah (Diwaniyah LG)
2. The Ministry of Electricity

The Conflict Background: Five years ago, the Prime Minister announced construction of an electric transformer in Diwaniyah. They celebrated installation of the bedrock of this project in the presence of the Electricity Minister. However, since then no progress has been made on the ground although they have identified a contractor and appointed an engineer who has been coming once a week but performing no work on the project. In addition, it was planned to have the Diwaniyah Gas factory supplying this station with fuel. Since this project was approved and ground was broken, two other electrical power stations have been built in neighboring governorates (Najaf & Babil) and both have been fueled by the Diwaniyah factory, rendering it at full capacity and unable to supply a third line to a new station if it were built. It is worth mentioning that the two stations in Babil and Najaf were decided on after Diwaniyah station. So the City Council and Provincial Council members announced to Diwaniyah people more than once that at the beginning of 2010 access to electricity would be improved to just 1 hour of blackouts per every 3 hours of power, but it has deteriorated, rather, to only 2 hours of electricity for every 4 hours of blackout. So the city council services committee started a campaign to build a coalition to pressure the Electricity Minister, as he is a member of the prime minister's party and the Local Government in Diwaniyah.

CM Participant Role:

The CM participant role was that of facilitator, intending to build a coalition in order to start applying pressure at the Government Level and Public Level through all the available means of communication.

Tool Used By CM Participant:

The CM participant realized that he could not achieve any results working alone, so he decided to build a coalition, and to use the coalition-building tool toward that end, and framing tool in addition to the diagnostic quadrant tool.

The need for building a Coalition:

Because the tension comes between Diwaniyah City Council Services Committee and the Ministry of Electricity, and the City Council is accountable to its authorities, the mediation process must involve new parties in order to get support and in order publicize the issue rather than have it between a small body, the City Council, and a relatively much more powerful party such as the Ministry. In addition to that, building a coalition could provide more power and influence on different levels of communication. In addition, the shared interest is of high importance to many other parties.

Coalition Building



Identifying Parties that are desired to be in the Coalition:

- Diwaniyah PC Head
- Diwaniyah Governor
- Diwaniyah PC Power Committee Head
- Other PC Members
- Parliament Members

CM Participant's Alternatives:

The CM participant has identified alternatives, if the desired parties refused to join the coalition. They are the following:

1. Getting Support from opposite lists in the PC.
2. Making use of Media to persuade the Electricity Minister.
3. Mobilizing community members in demonstration against the Electricity Ministry,

The Needed Preparations:

1. Collecting data for Diwaniyah, Babil, and Najaf projects in order to identify justifications for efforts.
2. Requesting that the Diwaniyah Gas factory provide a formal letter indicating the dates of supply to Najaf and Babil stations with fuel and the actual capacity of the factory to supply a third power station.
3. Involving two representatives, one from the governor and a second from the PC in order not to prevent them from misunderstanding this issue as political one against their party.
4. Informing Diwaniyah Representatives in the Parliament about what is going on in order to get them prepared to support when it is needed.

Identified Barriers for Coalition Building:

1. The project has been delayed for so long that many government staff have been replaced at both the central and local Levels.
2. The Affiliation of the Electricity Minister, Diwaniyah Governor, Diwaniyah PC Head and the majority of PC members with the Prime Minister's Party.
3. The Lack of project Data because it was planned and initiated by the Central Government.

Coalition Building



Coalition Building Steps:

1. Jafar Almosawy (CM participant) invited the Governor, PC head, Electricity Dept., the head of the gas factory and the head of the construction committee to Diwaniyah. The purpose of this meeting was to get a clear image about what the details and perspectives of the situation were and what was needed in order to come to a resolution. Mr. Almosawy used *the diagnostic quadrant tool for analyzing the problem symptoms, causes and suggesting general approaches for planning real solutions that could avoid the undesirable outcomes*. The parties involved agreed on paying visits to the Babil and Najaf transformer stations, and to the projects department within the Ministry in order to get the needed project information, and to discuss general approaches in accordance with them. *In this meeting, Mr. Almosawy, used the framing tool to encourage the Governor and the PC head to take real roles in this issue. Almosawy led with, "Diwaniyah people think that this project has not been implemented during the previous local Government because the minister was not from their party, so it is expected that you are going to use your political relationship with the Minister to complete that project. It will be an achievement for you during your term, and in addition to that, it is one of the most sensitive issues and connected directly to people's lives which is of interest to you in accordance with your campaign program." This tactic motivated the parties and they started announcing to people their role in this issue through media channels, and radio.* In addition, they set another date for a follow-up meeting in order to analyze the information they had collected to identify what was still needed.

As a result of this meeting they discovered that the gas plant had no capacity to supply another electricity station with fuel because it was already supplying two stations in neighboring governorates, and in addition to that, they learned that the Diwaniyah station was the first station to be constructed before those in Babil and Najaf, leading the issue in another direction built on an assumption that the Diwaniyah Electrical station project was given to other governorates for undisclosed reasons.

2. Coalition Plan: When they agreed on the importance to work together on this issue, they discussed the steps that were needed to be taken with the Ministry for hearing the Ministry's Justification and position as well.
 - Selecting three representatives to communicate with other related parties.
 - Inviting the electricity Minister to visit Diwaniyah Governorate.
 - If the Minister accepted the Invitation, the three representatives would meet him and explain to him the situation in detail.

Coalition Building



- If the Minister didn't accept the Invitation, the three representatives would travel to meet him in Baghdad.
- The Coalition Members would decide their next steps in accordance with the results of their meeting with the Minister.

3. **Coalition Alternatives:** When the participant succeeded in building the coalition by getting the identified parties to cooperate, they discussed what could be done in coordination with the Ministry itself to solve the problem by communicating the problem to the Ministry and what could be done as alternatives if the Ministry refused to help in solving the problem. They identified the following alternatives:

- *Preventing the Gas factory from supplying fuel to other Governorates and in this way the two stations would be useless.*
- *Filing a claim in the Federal Court against the Minister.*
- *Contacting the Head of Parliamentary Council and the Prime Minister requesting their intervention.*
- *Using Media and demonstration to persuade the Minister.*
- *By removing the (RTU) system, which was controlling the distribution of the electricity in accordance with the permitted share of each province, they would be able to get more than what the Ministry was allowing them.*

Conclusion: *After all these efforts by the Diwaniyah LG with the Ministry and the Minister himself, they were supported by the ministry by increasing the Diwaniyah Province's share of electricity and promising them a more powerful transformer built in Diwaniyah within the next two years. As an indicator for this coalition influence, Diwaniyah was the only province that had no demonstration against the electrical power distribution service. It is worth mentioning that the Electricity Minister has since resigned due to the demonstrations in the Iraqi Provinces, in addition to the end of the previous national government's term and the transitional period, so the coalition is still recruiting the new parliament members in Diwaniyah to support them in the new government and in the new parliament sessions.*



Be the change



Option Development Tool

Tool No. 8

The Tool of Option Development



Option Development Tool

Overview of the Option Development Tool

This tool provides an in-depth analysis of each party's preferred outcome and nominally acceptable outcome for each issue at stake. A comparison of what is the most desirable "ask" and what is the least acceptable "can live with" for each party across every issue may clarify the boundaries for the negotiation, uncover creative options and viable compromises that are not readily apparent, and lead to a better overall negotiated solution.

A party's Most Desirable Outcome (MDO) is the best outcome that might realistically be achieved through an agreement with a counterpart.

A party's Least Acceptable Outcome (LAO) is the least satisfactory option that a party could live with, and is no less satisfying than going to their Best Alternative to a Negotiated Agreement (BATNA).

Purpose of Using the Option Development Tool

- ✓ To fully analyze and understand the range of outcomes on each issue
- ✓ To identify issues where there is no likely agreement
- ✓ To generate creative options and viable compromises that lead to a better overall negotiated solution

Using the Option Development Tool

Use the following template to organize your thoughts as you analyze possible outcomes to a negotiation:

Issues	Party			Party			Party			Other Options
	Most Desirable Outcome (MDO)	Least Acceptable Outcome (LAO)	Most Desirable Outcome (MDO)							
[Issue]										
Importance	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	
[Issue]										
Importance	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	
[Issue]										
Importance	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	



Option Development Tool

Step One

List each key party to the negotiations

- Remember to include all key parties (those who will have the power to say “yes” or “no” to a deal, as well as key influencers).
- Consider all parties who have the power to be deal breakers (government entities, regulatory agencies, and so on).

Step Two

List the specific, critical issues that require agreement before a deal is finalized

- Consider only issues that are essential to the deal; do not attempt to list every topic that might come up in the negotiation.

Step Three

Brainstorm the Most Desirable Outcomes (MDOs) and Least Acceptable Outcomes (LAOs) for every issue, from each party’s point of view, and enter the result in the appropriate box

Step Four

Rank the importance of each issue to each party (high, medium, or low) and check the appropriate box under each party/issue combination

Step Five

Note any creative solutions and potentially viable compromises that might lead to agreement among the parties on a given issue in the column labeled “Other Options”

Step Six

Interpret the data

- Look for issues where your Least Acceptable Outcome (LAO) makes them less satisfied than their Least Acceptable Outcome (LAO) — these are potential “deal breakers.”
- Look for issues where their Least Acceptable Outcome (LAO) makes you much more satisfied than your Least Acceptable Outcome (LAO) — these are areas where you could capture significant value through careful negotiation.
- Think about whether the bundle of Most Desirable Outcomes (MDOs) on their side is likely to be their “opening position,” and if so, whether you should seek to help them avoid getting locked into that position.
- Look for tradeoffs where you might get closer to your Most Desirable Outcome (MDO) on issues of “high” importance to you and “low” importance to them, and vice versa.
- Consider the whole package (all of the outcomes on every issue) when deciding whether or not to walk away to your best alternative. Even though one or two outcomes might satisfy you less than your BATNA, the overall outcome might satisfy you more than your BATNA.



Option Development Tool

The Tool of Option Development worksheet that has to be filled down whenever we need to use the Tool:

OPTION DEVELOPMENT WORKSHEET										
Issues	Party		Party		Party		Other Options			
	Name:	Name:	Name:	Name:	Most Desirable Outcome	Least Desirable Outcome	Most Desirable Outcome	Least Desirable Outcome	Most Desirable Outcome	Least Desirable Outcome
<ul style="list-style-type: none"> List the key parties involved in negotiations List the critical issues that require agreement for the deal to move forward For each issue, brainstorm each party's most desirable outcome and least acceptable outcome Rank the degree of importance of each issue to each party H (high), M (medium), L (low) 										
Importance to this party	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	
Importance to this party	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	
Importance to this party	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	H <input type="checkbox"/>	M <input type="checkbox"/>	L <input type="checkbox"/>	

The Training Materials:

- Video the Cuban Missiles Crises (the fog of war, and 13 days)
- Illustrative story attached at the end of the book.



Option Development Tool

Conflict background:

Due to water distribution mismanagement and general water scarcity, in addition to the lowering of the Euphrates River, the LG planned a strategic project to construct irrigation canals. During the implementation of the project, intended to provide water for 19,000 acres, an obstacle emerged: a group of houses was built in the path of one of the main canals, and as a result, they have stopped work and started appealing to the LG for generating the best options in order to avoid demolishing the houses. They discovered that there is a deep old river which can be used to divert the canal 2 km, but a problem arose when beneficiaries' tribes divided into two groups; the first group opposed this option, while the other supported it.

CM Participants Role:

CM participant Hatim Hussien Alwan used the Value Circle, and Options Development tool to get this multi-party conflict solved. He was well-suited to mediate this conflict due to his position as Rumaitha District Mayor, and he is from one of the larger tribes in Rumaitha.

Unbiased Communication Manner:

The mediator met the representative of the contracted company, and the representatives of each of the water companies and Agricultural Dept. The purpose of these meetings was to learn more about the feasibility of each of the available options and in order to get all the necessary data before communicating directly with the conflicting parties. He explained, in detail, the feasibility of each option, and the cost of others. He started his communication with the conflicting parties in order to understand their interests and to suggest alternatives rather than allowing them to entrench themselves one that they think is the only way to have their interests satisfied.

The Communication and Relationship:

Before implementing the project, the parties shared a very strong tribal and social relationship and the only point of contention was the scarcity of water for irrigation which threatened their agricultural subsistence strategies, but after the project to create irrigation canals was started they have begun arguing over the path of the main waterway. The first party was led by a tribal Sheik and the other, by a religious man. Both started mobilizing people against the other's views to the level that the company had to stop the project implementation for 6 months in order to achieve any work, but due to their conflicting positions there were no results, and there was a serious threat of leaving the project before completion because the costs were getting higher and higher. For this reason the relationship deteriorated severely. A CM participant intervened by meeting with the contracted company representative and a representative of each of the water resource companies and the agricultural department in order to identify the feasibility of each of the available options.



Option Development Tool

After completing the communications with Governmental parties and the company, the mediator started his communication with both conflicting parties through inviting each of them in his office separately, and then inviting all of the parties in the company field office, the reason behind that was in order to avoid any misunderstanding of being supportive to one of the parties against the other party.

Interests:

(The First Party) The Sheikh Group Interests:

1. Achieving the Project of land reclamation toward increasing the fertility of local lands.
2. Keeping the houses of people in the way of the canal and diverting its path 2 Km because there are many houses and none can afford its costs and the houses' owners are from the same tribe.
3. Using the Numany River as the main canal within the area of 2 km.

(The Second Party) The Religious Man Group Interests:

1. Implementing the project as planned without diverting its path, in order to increase the planned lands.
2. Keeping the Numany River as it is without using it for the new main canal because it has been used for irrigation when there is no water in other rivers.

(The Third Party) Contracted Company Interests:

1. Launching the project.
2. Incurring no additional cost.
3. Gaining community acceptance by consensus to avoid causing suffering.

The Options that have been discussed in the meeting:

1. Implementing the project as it is planned and removing the impeding houses if the Government can compensate them.
2. Implementing the project but redirecting the canals by 2 Km and using the Numany River as the primary canal.
3. Implementing the project while diverting it a farther distance, getting additional allocation from the government if that possible.

Best Alternatives to a negotiated Agreement:

Each of the conflicting parties realized that it has not strong alternative, because stopping the project will achieve no interests, and preventing using the land is the same, while leaving the project by the Company if the LG cancelled it is a loss for all of them.

What were the alternatives anyway? This is a conclusion based on the analysis of alternatives.



Option Development Tool

Criteria:

The First party's Criteria:

- No project can be implemented to provide irrigation through demolishing their houses. Shelter and housing is a priority.
- The Numany River is an old river which is not used by anyone except some farmers whose lands are directly beside the river, and its water level is getting lower and lower.

The Second Party Criteria:

- Houses are permitted to be built only by law, so there is no need to stop a project because of such houses. Illegal housing cannot prevent a project serving the common good.
- The Numany River is the second option if there is not enough water, so there is no reasonable reason to lose it.
- Diverting the canal may include new lands which are not planned to be included and exclude other lands which are planned to be included and here the project will not be implement its original purpose.

Third Party Criteria:

- The contract between the government and the company which has the cost of the description of the project is the only Criteria and when there is a big change, there will be a need for a new Contract.

After three negotiation sessions, no single option was accepted by all parties, so here the mediator used the **Tool of Options Development** by categorizing issues in accordance with their importance to each of the conflicting parties in order to create an option that could satisfy most interests:

<i>Issues Parties</i>	<i>Using Numany River</i>	<i>Demolishing Houses</i>	<i>Implementing the project</i>
<i>First Part (The Sheikh with his tribe)</i>	Low importance	High Importance	High Importance
<i>The Second Party (The Religious man with his tribe)</i>	High Importance	Low Importance	High Importance
<i>The Third party (The Company)</i>	Middle Importance	Middle Importance	High Importance



Option Development Tool

Through this table the conflicting parties were assured that it expressed their important issues in accordance with their importance. The mediator suggested they all have a field visit to the area in order to brainstorm other possible options that may help them implement the project. During the field visit, they discovered that there is an irrigation canal near the houses, so the mediator suggested the following option:

- Increasing the Depth and the width of the other irrigation canal in the area of houses to be enough for the water of both canals.
- Digging a small canal that can reach to the planned area from this Canal for including the same areas.
- Using Pipes in the houses area in order not to affect any of the houses near the new canal.

So this option was accepted by all of the conflicting parties and they launched implementing the project after 8 months of stalemate.



Be the change

Diagnostic Circle Chart



Overview of the Diagnostic Circle Chart Tool

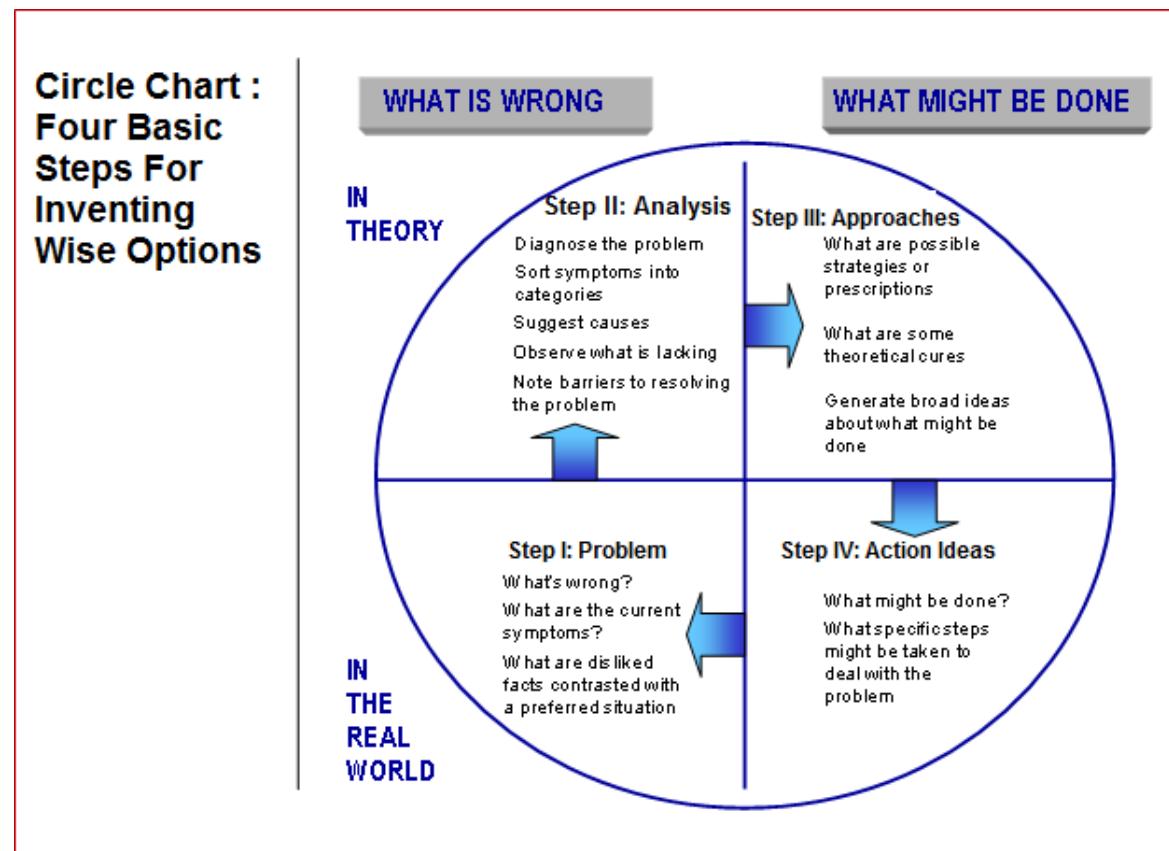
The Diagnostic Circle Chart Tool is useful any time you are having trouble solving a complex problem, especially when there are multiple parties involved. It helps people move from either-or thinking to a more accurate sense of multiple partial perceptions and causes, generate good ideas, understand where they agree and where they disagree, and promotes a sense of side-by-side collaboration. Further, it can be used to structure the brainstorming process to help people figure out where and why they are stuck and to help parties analyze a past success in the hopes of replicating it.

Purpose of Using the Diagnostic Circle Chart Tool

- To conduct systematic, effective, and creative problem-solving, especially where there are multiple parties and multiple perspectives
- To foster common understanding and help adversarial parties develop a more constructive side-by-side relationship
- To provide a structured way to move from problem definition to diagnosis to solution generation and implementation

Using the Diagnostic Circle Chart Tool

Keep the following image in mind as you work to solve complex problems:



Diagnostic Circle Chart



Step One

Define the Problem

- Think broadly about what is wrong.
- Identify the specific characteristics of the current situation that are undesirable (the disliked symptoms of the problem).
- Define the characteristics of a realistic preferred state. (Be optimistic about what might be “realistic,” so as not to constrain brainstorming.)
- Be as specific and concrete as possible.
- Look for differences and similarities among current state symptoms that may indicate multiple, unrelated problems or a number of specific problems that are part of some larger issue.

Step Two

Generate Multiple Possible Diagnoses

- Analyze and brainstorm possible causes for the gap between the current situation and the preferred state. Who and what are contributing to or causing the gap? What is lacking or needed?
- Look for multiple alternative or overlapping possible causes, needs, or barriers.
- Consider different disciplinary and professional perspectives to stimulate creative insights:
 - Negotiation strategy (interests vs. positions, legitimacy vs. haggling, choice analysis, commitment management)
 - Business strategy (value proposition, segmentation, competitors and substitution, leverage model, career path)
 - Law (rules and processes, precedents, reasoning by analogy, rights and duties)
 - Organizational Theory (roles, norms, incentives, politics, power)
 - Psychology (status and identity, transference, hot buttons and feelings, ego)
 - Communication (balance of advocacy and inquiry, level of abstraction, focus on meaning vs. affect, cultural and personality styles)
- Consider any diagnoses that could themselves be treated as a problem in need of further analysis; where appropriate, plug such diagnoses back into Step One as disliked symptoms.
- Be comprehensive. Make sure that you have addressed all the symptoms of the problem.
- Don't argue about which possible diagnoses are most important.

Step Three

Brainstorm General Approaches/Strategies

- For each possible diagnosis or partial diagnosis, brainstorm some possible prescriptive strategies or general approaches for improving the situation. How might causes be addressed, barriers overcome, and needs filled?
- Defer any evaluation of which solutions are best until you have spent sufficient time generating many creative possibilities.

Diagnostic Circle Chart



Notes on Brainstorming

- *Do not criticize (“That won’t work, because”); instead build on others’ ideas (“What I like best about that is It might be even better if we could What about . . . ?”).*
- *Do not evaluate (positively or negatively).*
- *Do not attribute.*
- *Record all ideas in plain view.*
- *Encourage wild ideas — they can often stimulate original thoughts that might work.*
- *Evaluate and improve later, after thorough brainstorming.*
- *When possible, think of more than one approach to deal with each possible diagnosis.*
- *If someone suggests a possible solution that seems like a particularly good idea, ask why (“What is the diagnosis that lies behind that idea?”), and then try to develop other good approaches.*

Step Four

Develop Specific Action Ideas and Plans

- Explore how the approaches generated in Step Three might be implemented. Assess their feasibility in the real world and the costs and benefits associated with each.
- For each prescriptive strategy or general approach for addressing the problem, brainstorm one or more detailed ways to implement that strategy. What are specific, concrete action ideas? Who would do what, when, and how exactly? Usually there are several different ways that one might implement a given general strategy, some of which will be easier to carry out and/or more likely to be effective.
- After brainstorming as many ideas as you can, begin evaluating, improving, and noting the most promising ideas.
- If multiple parties are involved, and particularly if they are focused on different symptoms or have different goals, look for solutions that combine differing needs. Think carefully about where agreement on goals is necessary, and where it is fine for different parties to pursue different goals.

Diagnostic Circle Chart



Real Case about Using the Diagnostic Circle Chart “the quadrant tool”

The Problem: Drinking water shortage at the General Hospital in Diwaniyah

The problem Parties:

1. Water Directorate
2. Health Dept (Maintenance staff in the hospital)
3. The City council services Committee.

The Tool used in solving the problem:

Quadruple tool

The Problem: the problem is represented by the drinking water unavailability in the general hospital to the level that they have used the Tanker Vehicles of the civil Defense directorate to supply the hospital with water. So this problem has many consequences such as:

1. Inability of making any surgery operation in the hospital.
2. The Central air conditioning system stopped.
3. Health units blocked for the water unavailability.
4. No cleaning works done in the hospital for the water unavailability.
5. Patients left the hospital.

Analyzing & diagnosing the problem's reasons: There are many possible reasons for the water stopping and one or more of those reasons may be the real reasons, they are:

1. The maintenance staff in the hospital inactivity.
2. The miscommunication among the problems parties.
3. The health and water Depts. Weak following up roles.
4. Indifferent responsible persons

The styles and Strategies of solving the problem:

1. Establishing a team which consists of representatives from all the problem's parties.
2. Visiting the hospital water station in order to make sure of the pumps operations.

Diagnostic Circle Chart



3. Tracing the hospital water line from the first point which is the main water station to the hospital.
4. Testing all the valves and joins in the pipes.
5. Maintaining all the line parts.

Implementing the suggestion above:

1. The Team has been established by the membership of Water Dept, Health Dept, Maintenance Staff of the hospital, City Council and the representative of Health Committee in the provincial Council.
2. The team has starting paying the visits to the water station in the hospital and they found that it is working and there is no problem.
3. They have traced the water line from the first main water station to the hospital and it is operating properly.
4. They Returned to the hospital and found that the water has reached the Main tank in the hospital but when the pumps works water is not reaching to the hospital tanks, so they have checked the filters and found them blocked with mud for being used for a long time with out being cleaned or replaced.
5. Finally when they figured out the reason of the problem which is technically the weak following up role of the health Dept. and the low performance of the hospital maintaining Staff, they have decided to have a frequent maintenance and designed a report to be filled out monthly after maintaining the water net in the hospital. On the other hand, the reason of having this problem get longer time to be solved is the weak communication among the concerned parties.

Diagnostic Circle Chart



Failure of an electric Transformer in one of Iraqi Provinces' neighborhood on a weekly basis:

Phase 1: Failure of the electric converter which led to the total power cut-off in the neighborhood for dozens of times, knowing that this Province is one of the cities with the highest consumption rate of electric converters due to the continuous failure of the concerned converter.

The Preferred Situation: is to have an electrical transformer working properly without any failure or damage.

Phase 2: Analysis of reasons behind the converter failure

1. Overloads
2. Wrong Connections
3. Misuse
4. Numerous transgressions in other neighborhoods.

Phase 3 : Proposed General approaches

1. Measure the converter power and compare it to the region needs
2. Guarantee the absence of transgressions
3. Test the electrical power in adjacent neighborhoods.

Phase 4: Practical implementation

1. Upon the inspection of the converter loads by Electricity Directorate personnel, it appeared that the power withdrawn from the converter is much higher than the region's need.
2. After inspecting the transgression, it appeared that there is no transgression.
3. The examination of the electric power in adjacent neighborhoods showed a difference in the national electricity schedule set for the concerned neighborhood and the adjacent neighborhood. Thus, residents exchanged power lines with the adjacent neighborhood. Therefore, the personnel of the Electricity Directorate unified the national electricity schedule between these two neighborhoods, prohibiting therefore the failure of converters.

The Training Materials:

- Video the Fog of War – the analyze of Vietnam war.
- Video the Fog of War – the decrease of the Ford Company Sales.
- Video the Thirteen Days.



Be the change

**I-C-N Decision Making Tool*****The Tool No. 10******The I-C-N Decision Making Tool***



I-C-N Decision Making Tool

Overview of the I-C-N Decision-Making Tool

The I-C-N Decision-Making Tool can help parties work through complex decisions effectively. It can also be used to determine how a team or organization will work on an ongoing basis by helping set expectations about who will be involved in what ways in various types of decision-making.

Using the I-C-N framework can help minimize inappropriate expectations and confusion about decision-making roles and the frustration that often results from people having different expectations. The tool helps increase efficiency by providing an alternative to decision-making by consensus when consensus is not necessary.

Purpose of Using the I-C-N Decision-Making Tool

- ✓ To determine explicit roles and responsibilities around decision-making such that team members understand where they fit into a particular decision and how they are expected to interact with other team members (internally and externally), depending on their role
- ✓ To identify the optimal balance between participation in decision-making (and resulting buy-in) and efficiency

Using the I-C-N Decision-Making Tool

As you work through the I-C-N Decision-Making Tool, consider using the following template to organize your thoughts:

Step One

Separate complex issues into the specific sub-issues, each of which will require a decision and/or

Decisions and Actions	Decision Driver	Negotiate (N)		Consult (C)	Inform (I)
		Veto	No Veto		

action that is likely to require consulting and negotiating with different parties

Step Two

Identify a Decision Driver to manage the process of making each decision and to ensure that decisions get made

- The Decision Driver is responsible for running the process established to reach a specific decision, understanding the rationale behind why each person has been placed in a particular decision-making role (or bucket), and ensuring that the decision gets made.



- The Decision Driver can be considered the equivalent of a “project manager” or “owner” for a particular decision, even though they may not be the most senior person involved or the ultimate decision maker.
- Even if the Decision Driver is not ultimately responsible for the substance of a decision (because others in the “Negotiate” bucket are), the Decision Driver is responsible for facilitating the process by which a decision is reached.

Step Three

Identify all the parties who have a stake in each decision and place them in one (and only one) of three buckets: “Negotiate,” “Consult,” or “Inform”

Identify with whom to “Negotiate” (N)

- These are the decision makers, those parties who need to have a voice in actually making the decision based on position, responsibility, and authority.
- The Decision Driver must attempt to facilitate agreement among these people and may find it useful to separate them into those who have veto power (the decision cannot go forward without their consent) and those who do not (the Decision Driver must try to get them on board, but may proceed without their approval if necessary). The people in the “veto” part of the “Negotiate” bucket have the power to block any decision or implementation if they disagree with the decision.
- If the level of trust is low, you might include someone as an “N” to help them see the decision-making process in action so that they will have more confidence in, and ownership of, the result.
- Sometimes, because of their power and authority, it is wise to include someone in the “N” bucket to protect your decisions from attack or non-compliance, even if they don’t have particular subject-matter expertise.

Identify whom to “Consult” (C)

- These are the advisors to the decision makers or those whose needs, perspectives, expertise, or advice ought to be taken into account, but whose “vote” on or approval of a decision is not needed or appropriate.
- People should be included in this group if they have unique perspectives, experience, or expertise that should be considered before making a decision, or if they are entitled to be heard before a decision is made because of their role or the likely impact of the decision on them.
- People might be included in this group if they are well networked with experts or practitioners who can add value and insight, so that they can inquire of others who might contribute.

Identify whom to “Inform” (I)

- These are parties who need to be informed about the decision, typically because they will need to implement it, because they will be impacted by it to some degree, or because they have to be aware of the decision to carry out their other responsibilities. They might also be included for their ability to inform others.
- These people are neither sources of unique information about a specific issue, nor unique experts in a related field or skill set, and therefore do not need to participate in formulating the decision.



I-C-N Decision Making Tool

Step Four

Be clear with those involved about the roles you expect them to play and why

- Think carefully about who might want or might expect to be involved differently than how you intend to involve them. Consult (or if necessary, negotiate) with them before making a decision about their involvement or the nature of their role.
- In cases where a given party's role is still unclear or is in dispute, consider going jointly with that party to an appropriate senior executive for clarification about how they should be involved.
- Put each person in the decision-making bucket requiring the lowest level of interaction and leave it up to the Decision Driver to interact with them more if they see fit.

Step Five

Discuss and document decision-making and communication protocols, so people in each role understand how they need to behave within their bucket and across buckets

Step Six (Optional)

Consider operationalizing your ICN grid into a project planning tool by assigning start dates and deadlines to each of the issues listed

The Decision Making Tool worksheet that have to be filled down whenever we need to use the ICN Tool:

I-C-N DECISION -MAKING WORKSHEET					
Decisions and Actions	Decision Driver	Negotiate (N)		Consult (C)	Inform (I)
		VETO	NO VETO	The parties who may act as advisors to the decision makers and whose views ought to be considered before taking a action, but who do not have authority to vote on the decision or reject whatever decision is made.	The interested and/or affected parties: those who need to be informed about the decisions (often because they will need to implement it or will be impacted by it).

The Training Materials:

- The 13 days Video Clip.



Be the change

Persuasion Techniques



The Tool No. 11

The Persuasion Techniques Tool

Persuasion Techniques



Overview of Persuasion Techniques

Persuasion is widely perceived as a skill reserved for deal making. It is also commonly seen as just another form of devious manipulation to be avoided. Certainly, persuasion is used in deal making situations, and can be misused to manipulate people. But exercised constructively and to its full potential, persuasion supersedes deal making and is quite the opposite of deception. Effective persuasion is a negotiation and communication process through which persuader leads other parties to a problem's shared solution. Persuasion involves moving people to a position they do not currently hold, but not by begging or cajoling. Instead it involves careful preparation, the proper framing of arguments, the presentation of vivid supporting evidence, and the effort to find the correct emotional match with the audience. In this toolkit we offer a parsimonious set of persuasion techniques based on the 1957 classical film *Twelve Angry Men*. This film is often shown to teach lessons from group process, decision-making and critical thinking. It effectively and powerfully depicts the ways in which a successful negotiator can make critical moves and capitalize on turning points in a negotiation. It also illustrates vividly such key negotiation concepts as the difference between positions and interests and the role of such skills as coalition building, framing, and active listening.



Persuasion Techniques



5 CORE PERSUASION TASKS

Task #1 Mapping the Influence Landscape

Identifying who needs to be persuaded and how they can be influenced

- Identifying supporters, opponents & ‘persuade-ables’
- Reasons for resistance to influence strategies:
 - a. Loss of comfortable status quo
 - b. Loss of sense of competence
 - c. Threat to self-defining values
 - d. Loss of security due to uncertainty about future
 - e. Negative consequences for key allies
- Understand driving and restraining forces!

Task #2 Shaping Perceptions of Interests

Influencing others’ beliefs about what they want

- a. Invoking the ‘common ground’
- b. Linking to core values
- c. Heightening concerns about loss or risk
- d. Narrowing/broadening focus
- e. Enlarging the pie
- f. Neutralizing toxic issues
- g. Inoculating against expected challenges
- h. Providing a script for neutralizing others
- i. Leveraging small commitments into larger ones
- j. Sequencing through relationship networks

Task #3 “Shaping Perceptions of Alternatives”

Influencing others’ beliefs about options on the table being better than their alternatives away from the table

- a. Introducing new options
- b. Controlling the agenda
- c. Eliminating “do nothing” as an alternative
- d. Eliminating the “status quo” as an alternative
- e. Pruning options via progressive elimination

Persuasion Techniques



Task #4 and #5 Gaining Acceptance and Persuading at a Distance

Designing consultation and decision-making processes that increase the likelihood that difficult choices will be accepted and achieving a broader impact through mass persuasion

- a. Creating a fair process
- b. Engaging in shared diagnosis
- c. Consulting broadly
- d. Focus and repetition
- e. Matching the medium to the message
- f. Introducing powerful simplifications
- g. Building personal credibility

Persuasion Techniques



A set of 12 techniques used by Henry Fonda for persuasion in the film Twelve Angry Men

	Persuasion Techniques	Brief description
1.	<i>Invoking common ground</i>	This approach involves emphasizing collective benefits and downplaying individual costs.
2.	<i>Linking to core values</i>	Marketers long ago learned the power of linking choices to the values that define self-identity.
3.	<i>Neutralizing toxic issues</i>	Progress on multi-issue can be stalled by the presence of toxic issues. Toxic issues can sometimes be neutralized by explicitly setting them aside for future consideration.
4.	<i>Leveraging small commitments into large ones</i>	A target who has been induced to make small commitments is already on the road to larger ones. This tool, known as entanglement, presumes that people can be led from point A to point B in a succession of small moves, when a single leap is impossible.
5.	<i>Sequencing relationships around the table</i>	Faced with difficult choices, people often look to respected others for clues about “right thinking.” Such opinion leaders might be sought out because of their expertise, stature and or experience. In the movie Fonda often delegates persuasion tasks to others.
6.	<i>Controlling the agenda</i>	He who defines the issues and determines their priority is already well on the way to winning
7.	<i>Eliminating “do nothing” as an alternative</i>	It is all too easy, even with the best of intentions, to defer decisions, delay, and avoid commitments. When success requires the coordinated action of many people, delay by any single individual can have a cascade effect, giving others reason not to proceed.
9.	<i>Eliminating “status quo” as an alternative</i>	If the choice is between comfortable status quo and uncertainty of a new direction, people choose the former. If status quo is no longer available, the choice is limited to poorer alternatives.
10.	<i>Engaging in shared diagnosis</i>	Getting people involved in the diagnosis of problems is a form of entanglement: involvement in the diagnosis makes it more difficult for people to deny the need for tough decisions.
11.	<i>Focus on repetition</i>	Leaders who try to communicate too many messages can end up in a muddle. Persuasive messages are likely to take root in the minds if they consist of few core themes, repeated until they sink in.
12.	<i>Building personal credibility</i>	“Persuasion is achieved by the speaker’s personal character when the speech is so spoken as to make us think him credible. We believe good men more fully and readily.” Aristotle, <i>Rhetoric</i>

The Training Materials:

- *The Twelve angry men film (attached with the book)*



Be the change



One-Text Procedure

The Tool No. 12

The One-Text Procedure Tool



One-Text Procedure

Overview of the One-Text Procedure

The One-Text Procedure is an effective way to facilitate creative, joint problem-solving whenever there are multiple stakeholders whose input to a decision or plan needs to be considered or whose support may be needed for implementation.

The One-Text Procedure places all drafting authority in the hands of a single drafter or drafting team. All other parties are involved in the process only as critics who provide input. In this way, the inefficiencies of working with multiple drafts are avoided. From the outset, parties work together to iterate and improve a single, shared working draft (hence the name, One-Text). Parties are asked to note how and why the current draft version of the agreement is not acceptable. This approach capitalizes on people's natural willingness to criticize, and in the process exposes their underlying interests.

The drafting team iterates between soliciting criticism and revising the One-Text draft until (1) they feel they can do no better, (2) the benefits of further incremental improvement seem not worth the cost in time and effort, or (3) a hard deadline for making a decision is reached. At this point, for the first and only time, the drafting team presents all parties with a stark choice: accept the draft as is, or accept the consequences of no agreement. Unlike the common shuttle diplomacy approach, where people are constantly asked to make commitments to give things up (with no clearly defined benefit in return), the One-Text Procedure defers all commitment to a single, clearly defined decision point at the end. At this point, consequences of making or not making a decision have been clarified as much as possible and all reasonable alternatives have been carefully explored and evaluated.

Purposes of Using the One-Text Procedure

- To develop a solution that will best meet a group of decision makers' interests when each has varied needs and priorities
- To establish commitment efficiently to a joint plan or set of decisions

Using the One-Text Procedure

Step One

Choose the drafting team (or drafter)

- Choose an individual or small team to be solely responsible for all drafting and redrafting.
- Choose drafters who are:
 - Widely respected and trusted
 - Known to be good listeners and facilitators
 - Good at coming up with creative solutions
- Consider asking people with no direct stake in the decision, but who understand the context and issues, to serve as drafters.
- Look for people who are more invested in reaching an agreement than in the precise terms of that agreement.
- Consider forming a drafting team composed of representatives from each of the major constituencies.



One-Text Procedure

Step Two (optional)

The drafting team explains the process to those who will be involved

- Explain to all parties how the One-Text Procedure will work. Note that you will probably go through several iterations of inviting input and revising the draft before asking for commitments.
- Explain the reasoning behind the steps. Help those involved understand the benefit of working from a single draft and of soliciting criticism rather than edits. (Criticizing a third-party draft is a way to explore options without making concessions, backing down, or looking weak.)
- In some cases it may make sense to initiate the One-Text Procedure without explaining the process or asking parties to agree to it. This may be wise, for example, in a situation of high conflict where parties may be unwilling to agree to anything — even a process — at the outset.

Step Three

The drafting team elicits interests and criteria

- Interview each party to explore the range of their interests and arguments for how conflicting interests should most fairly be resolved. As you do so, expect to hear a case for what the solution should be. Try to keep the person you are interviewing focused on the interests and principles underlying their preferred solutions and current positions.
- When someone tells you what they think the best solution is, ask why that person thinks that is the best answer and what it would accomplish that no other solution would.
- Ask parties to describe their ideal outcomes and their worst nightmares. Derive their interests from these scenarios and then share your interpretation for their confirmation.
- Speculate about things each party might care about or be worried about. Share your speculations as hypotheses and ask what is missing or wrong.

Step Four

The drafting team creates an initial rough draft

- Equipped with a sense of what the different parties want, write a draft solution or agreement that is responsive and impartial.
- Emphasize that the draft is not final and it is not a proposal. Write “DRAFT FOR DISCUSSION ONLY” on each page, and be clear that you are seeking criticism only.
- Particularly on sensitive issues, the first draft can be more of an outline than a detailed and operational blueprint. In some instances, you might want to include several possible approaches.
- To further emphasize the provisional nature of the draft, consider including certain issues or components of a solution as section headings without yet including any substantive ideas.
- Where specific terms may be at issue, consider outlining the term and leaving the specifics blank: “Both parties will provide an initial investment of \$X to the project.”



One-Text Procedure

Step Five

The drafting team asks for criticism

- Review the ground rules: “During this process, you can neither accept nor reject any part of the draft, as it is not being proposed. When we have finished our work, we will propose a draft that you will have an opportunity to accept or reject. No one will be asked to commit to any part of this draft or to the whole draft until the end of this process.”
- Ask for criticism: “What would be wrong with something like this? Which interests of yours are not reasonably met by this draft?”
- Do not defend or explain the draft. Ask genuine questions to understand the criticism and the underlying interests better.
- Do not solicit or accept edits to the working draft or you will likely end up with conflicting edits that cannot be reconciled.
- Avoid defending the draft to anyone; remember that critiques of the draft provide further clues about interests and help clarify priorities among them.
- As appropriate, explore why and to what extent people think particular interests deserve to be met.

Step Six

The drafting team revises and repeats until the draft can no longer be improved

- As you work to refine the draft, look for ways to reconcile differences to produce joint gains. You do not need to get everyone to agree about everything. In fact, agreement might be possible precisely because the parties have different interests, opinions, expectations about the future, and so on.
- With new information from each round of criticism, revise the draft to better meet the interests of the different parties or explore different possible approaches.
- Continue to present successive drafts for criticism. Draft, ask for criticism, and then redraft until you either run out of time or believe that you cannot significantly improve the draft.
- Make no commitments to anyone regarding how you will redraft the text.
- To the extent possible, receive criticism on successive drafts in a forum where parties can hear and be educated by each other's comments. This helps build a common understanding of the concerns and trade-offs the ultimate solution will need to address, and the various arguments and standards that will be needed to explain why one outcome is agreed to over another.
- Sometimes it makes sense to explore radically different alternative approaches in consecutive drafts, especially early in the process.



One-Text Procedure

Step Seven

The drafting team presents the final text and this time, asks for acceptance rather than criticism

- Explain the choice: “We have prepared this final proposal after incorporating your input as best we can. We believe this is the best we can do. Please let us know if you will accept this proposal in its current form by responding simply with a ‘yes’ or a ‘no.’ If everyone accepts it, we can move quickly to implementation. If not, we will be back to square one and you will need a new facilitator. Will you now agree to this proposal?”
- Each party decides either to accept the text as it is or to be left with whatever consequences result from no agreement.

The One Text Procedure Worksheet:

ONE-TEXT PROCEDURE	
<p>The attached document is a “One-Text.” It represents a rough, preliminary draft or partial draft of something to which all might possibly agree, but it is not a recommendation or proposal. Please criticize the attached, explaining what would be wrong with a document (agreement, contract) like this. The document will be refined (or totally revised) based on your criticism and that of others until such time as the drafters believe they cannot improve it further. At that point, the “One-Text” will be frozen, and submitted – for the first and only time – as a proposal, which everyone involved in this process will then be asked to accept or reject.</p> <p>Please list or describe your criticism (including your reasoning and key interests) in the space that follows. Although specific line edits or proposed revisions may not be that helpful, please mark particular edits you would like to suggest (especially for improved clarity, as opposed to changed terms) on the attached drafts.</p>	
Name:	_____
Criticism	
<p>What important interests of yours does this draft not seem to address adequately? Why?</p>	
<p>Understanding why you would like those interests met, why do they deserve to be addressed (especially, if they conflict with interests of others)?</p>	
<p>What else seems wrong or missing from the draft? Why?</p>	



One-Text Procedure

Do you have other areas for improvement? Why are they important?

Do you have other ideas for how conflicting interests might be creatively and fairly resolved?

Please return to _____

By (date, time) _____

The Training Materials:

- Norket and Darbek Exercise (attached at the end of the book)
- A video clip from the Message Film (attached with the book)



Be the change

The Attachments

The exercises:

- Primadona exercise – The Seven Elements Tool 1
- The Shoe Shop exercise – Inference Ladder Tool 2
- Flu epidemic exercise – Framing Tool 3
- Three Coalition Parties – Coalition Building Tool 4
- Norket and Darbek exercise – One-Text Procedure Tool 5
- Kidney Exercise –Multi party negotiation & Framing 6

The Tools Practical Application:

- Kirkuk Stadium Case 1
- Shabak and Christian Case. 2
- The Sectarian Displacement Case in Nahrawan. 3
- Displaced Families Case with the Investment Company 4

The Attachments

DIEGO PRIMADONNA

CONFIDENTIAL INSTRUCTIONS FOR DIEGO'S AGENT

You have just become a partner in a firm that manages and acts as agent for athletes and other celebrities. Diego Primadonna is certainly not a major client, but you want to do a good job with this first assignment as a partner, especially since you have an interest in expanding your firm's sports practice. This is the first time you have handled Primadonna's account.

You met Primadonna yesterday for the first time. During your discussions with him, you gathered the following information:

At his best, Diego Primadonna was a true star and had a large following, inspired both by his flashy play on the field and his "Hollywood" antics off the field. Diego played for Rio Nacionale, one of Brazil's oldest football clubs, during the prime of his career. Thinking Diego had reached the end of his productive years when he turned 32, Rio traded him to another team for several young players. With his usual flair, Diego went on to prove his critics wrong and had 1 and 1/2 good seasons with his new team. In the middle of his second season with the new club (3 and 1/2 years ago), Diego incurred a serious injury to his left knee.

After an operation and several months of rehabilitation, Diego began a comeback. The season after his injury he signed a contract with a new club as a reserve forward. He changed teams the next season, but saw limited action as a reserve. Last year, he again signed with a new team, this time in Sao Paolo, as a reserve forward. Although Diego's knee appeared to hold up just fine, he didn't seem to have the same flair. Primadonna left the Sao Paolo team after a dispute with his coach over his limited playing time and the coach's request that Diego lose weight. Diego felt that the coach didn't give him a chance because the starting forward was dating the owner's daughter. Diego felt that things didn't work out with the other two teams because he was still recovering and hadn't found the team with the right "chemistry" for him.

The Attachments

Diego has not had a starting position since he hurt his knee. His popularity has declined since his days with Rio Nacionale. Since Diego's departure, Rio has built their club around a young and talented forward named Alfonso Bravo. The season is set to begin in three weeks and when Rio Nacionale announced the roster for this season's team last week, they placed Alfonso Bravo on the short-term injury list. The team has not released any public explanation regarding Alfonso's condition, and there have been many rumors, from a possible contract problem to a more serious injury than Rio has indicated.

At his own initiative, Diego got in touch with the Director of Player Personnel for the Rio club to ask if there was any possibility that they might be interested in signing him. Diego still knows many members of the team and coaching staff and has maintained a following among Rio's fans. Yesterday Diego was informed by Rio Nacionale that they might be interested in signing him as a starting forward. A meeting was scheduled for today at which you, as Diego's agent, will meet with Rio Nacionale's Business Manager to discuss the situation.

In the last few years, the Rio Nacionale club has fallen on hard times. The worsening economy, an aging stadium, and the establishment of several new football clubs in the Rio de Janeiro area has meant the loss of many big name players and a string of losing seasons. As a result, the once proud Rio Nacionale club has fallen to the bottom of the "A" division of Brazilian football. Rio Nacionale has lost some of its large corporate owners and has had to rely more than usual on ticket sales over the 50 game season to pay for player salaries. Attendance in Rio's 35,000-seat stadium has fallen off. Ticket prices range from \$3 to \$11, with \$5 being a reasonable average ticket price. The team is rebuilding, and the quality of players has improved lately. However, the players are young and don't have a lot of name recognition, hence the drop-off in attendance.

The Attachments

Diego desperately wants to sign with Rio, the site of his past glories. A starting position with his old club could signal a real comeback and would give him a good chance at landing a possible job as the spokesman for a new line of athletic shoes. The advertising contract would pay \$450,000, and would probably lead to many other such endorsements as well as making him a more marketable football player. Diego was not interested, and in fact was hostile to the idea of signing as a reserve. To sit on the bench with his old club would be intolerable.

Nonetheless, Diego was overjoyed at hearing of Rio Nacionale's possible interest. Diego has told you that getting the job is what counts; the amount of compensation is of secondary importance. He told you that, frankly, he would be willing to play for nothing, except that for reasons of professional pride, reputation, and the potential impact on future jobs, the higher the price the better.

Diego's pay over the last three years for reserve positions of this type has ranged from \$100,000 to \$180,000. Four years ago, when he was at the pinnacle of his career, he received \$220,000 as a starting forward with Rio Nacionale, even though the average starting salary was \$160,000. Since then, due to inflation and the increased popularity of football, the amount paid to top football players has nearly doubled. Diego recognizes, however, that he cannot count on producing sold-out stadiums or leading the league in scoring the way he did in his prime.

Last year, in his fourth year in the league, Alfonso Bravo was said to have been paid \$240,000 as a starting forward for Rio Nacionale. In Diego's last job as a reserve forward for Sao Paolo he was paid \$125,000. It is a general rule in the Brazilian leagues that players who are members of the starting team are usually paid at least twice the amount received by reserve players.

The Attachments

Primadonna believes that his experience, name-recognition and maturity make him a particularly appropriate choice for Rio Nacionale. Diego feels that, given his age and experience, he may be exactly the influence the younger, more inexperienced players on the Rio club need. He feels that the team is talented, but they have performed poorly because they don't have the right leadership and maturity on the field. Alfonso Bravo may score more goals, but Primadonna feels that he can help Rio win more games. In fact, Diego's view is that he may actually be more valuable to Rio now than when his legs were younger because he truly understands how to be a team player.

One of Rio Nacionale's major concerns is likely to be what kind of attendance Diego's performances would generate. The club's average attendance used to be over 95%. Since the team has been losing both games and big name players, attendance has dropped to about 75%. A further decline in attendance, even a small one, and another poor finish in the standings could be devastating for Rio. There are 26 teams in the A division. The top 16 teams advance to the playoffs. Under league rules it is possible that if a team finishes in the bottom five for three consecutive seasons the League Commissioner can decide to drop that team down to the B division. Rio has finished in 25th place and 22nd place the last two years respectively.

The sharp increases in operating costs and players' salaries, combined with the worsening economy, means that few clubs, even those that are doing well, are willing to offer Primadonna a starting position due to his age and recent injury. Diego already has two strikes against him. His recent stormy departure from the Sao Paolo team, and the rumors of his overeating, may have further deterred clubs from approaching him. Now Primadonna claims he is in the best physical condition of his life, having followed a rigorous fitness program in the off-season. When you met with him, Diego certainly seemed fit and confident he could help Rio Nacionale.

Prepare for your meeting with Rio Nacionale's Business Manager.

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DIEGO PRIMADONNA

CONFIDENTIAL INSTRUCTIONS FOR RIO NACIONALE'S BUSINESS MANAGER

You have been with the Rio Nacionale Football Club for only three months. So far, things have been going well, but this negotiation with Diego Primadonna's agent will be your most important assignment to date. You want to make sure that your boss, the Director of Player Personnel, is pleased with the outcome. You met with the Director of Player Personnel yesterday, and gathered the following information:

The Rio Nacionale Football Club is one of the oldest football clubs in Brazil. However, in the last five years the club has fallen on hard times. The worsening economy, an aging stadium, and the establishment of several new football clubs in the Rio de Janeiro area has meant the loss of many big name players and a string of losing seasons. As a result, Rio Nacionale has fallen to the bottom of the "A" division of Brazilian football. Rio Nacionale has lost some of its large corporate owners and has had to rely more and more on ticket sales to pay for player salaries.

Despite its worsening financial state, the club has managed to break even over the last few years even with declining attendance in its 35,000-seat stadium. Ticket prices range from \$3 to \$11, with \$5 a reasonable average ticket price. The team is rebuilding and the quality of players has improved lately. However, the players are young and don't have a lot of name recognition, hence attendance has dropped off.

The new season is scheduled to open in three weeks. The regular season runs six months, and they play an average of two games a week. Last week, when Rio Nacionale announced the roster for this season's team, they put Alfonso Bravo, the team's star forward and top goal scorer, on the short-term injury list. The team has not released any public explanation regarding Alfonso's condition. However, your boss has told you that although Alfonso is on the short-term injury list, it is unlikely that he will play at all this season. At the end of last season, Alfonso sustained a mild hip injury that has not improved despite treatment from the best doctors. His doctors now strongly suspect that Alfonso has a rare bone disease that may require months of treatment and might even end his career.

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The specifics of Alfonso's condition have not been released to the public because the team does not want to hurt ticket sales. Alfonso is a first rate performer though he has not yet attained the popularity Diego Primadonna enjoyed at the peak of his career. Rio Nacionale has been unable to find another experienced A-division forward who has not already signed a contract for this season.

Rio Nacionale has a young reserve forward who joined the team in mid-season last year. While the young rookie shows great potential, the coaching staff feel that he needs another year or two of seasoning before he will be ready for a spot on the starting team. Although he clearly lacks the experience necessary to play the position well, the young reserve could play now if he had too. The team's ownership would rather not promote him too quickly because many young players have had their careers ruined by being rushed into a starting position before they were ready. Also, the owners want a "star-attraction" in order to generate more ticket sales and another young unknown player won't meet that concern. This situation has put the club in a tight spot.

Fortunately, Diego Primadonna, a well-known and flashy, though somewhat aging forward, heard the rumors about Alfonso Bravo and called the Director of Player Personnel to inquire whether there was any possibility that the team might be interested in signing him. Up to now, the Director of Player Personnel has held him off, hoping to find a younger player or make a trade. Unfortunately, that now appears impossible, and the Director of Player Personnel is suddenly quite desperate to sign Diego. You have scheduled an early appointment with Diego's agent.

Diego Primadonna played for Rio Nacionale during the prime of his career. At his best, Diego was a true star and had a large following inspired both by his flashy play on the field and his "Hollywood" antics off the field. Thinking Diego had reached the end of his productive years when he turned 32, Rio traded him to another team for several young players. With his usual flare, Diego went on to prove his critics wrong and had 1 and 1/2 good seasons with his new team. In the middle of his second season with the new club (3 and 1/2 years ago), Diego incurred a serious injury to his left knee.

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After an operation and several months of rehabilitation, Diego began a comeback. The season after his injury he signed a contract with a new club as a reserve forward. He changed teams the next season, but saw limited action as a reserve. Last year, he again signed with a new team, this time in Sao Paolo, as a reserve forward. While Diego's knee appeared to hold up just fine, he didn't seem to have the same flare. The coach of the Sao Paolo team felt Diego's problem had less to do with his knee than with spending too much time in fancy restaurants and too little time in the training room. Primadonna left the Sao Paolo team after a dispute with his coach over his limited playing time and the coach's request that Diego lose weight.

Now it is rumored that Primadonna has been working to get back in shape. The owners are fairly sure that Diego can help the team now, if for no other reason than he is still quite popular in Rio. As such, the owners and your boss are desperate to sign Diego. When Primadonna last played for Rio Nacionale four years ago, he was paid \$220,000. That was regarded as extremely high at the time, justified only by the fact that Diego was at the top of his profession and had a significant following (which has probably fallen off somewhat since then). On the other hand, over the last four years, inflation in football players' salaries has brought about a near doubling of the average salaries of the top stars.

Since he hurt his knee, Diego has not had a starting position. Last year, with the Sao Paolo team, Diego was paid \$125,000 as a reserve forward. Although particular cases vary widely, as a general rule most clubs, including Rio, follow the industry practice of paying players who are members of the starting team about twice the amount received by reserve players. If the team's owners were to decide (against their better judgement) to promote the young reserve forward to the starting role, they probably would pay him something less than double his current salary of \$140,000, certainly no more than \$280,000. The average salary figures paid by the Rio Nacionale in recent years for starting and reserve forwards are as follows:

Players	Starting Players	Reserve
Five years ago	\$ 140,000	\$ 70,000
Four years ago	\$ 160,000	\$ 80,000
Three years ago	\$ 170,500	\$ 90,000
Two years ago	\$ 210,000	\$ 125,000
Last year	\$ 250,000	\$ 120,000
This year	[?]	\$ 140,000

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Lately, because of the declining attendance Rio Nacionale needs to keep players' salaries as low as possible. The club's average attendance used to be over 95%. Since the team has been losing both games and big name players, attendance has dropped to about 75%. This is also the team's break-even point. Anything less than 70% attendance would cause the club to lose money (perhaps about \$9,000 per game). If the season were a disaster and attendance fell to 50% or 60%, (which is barely conceivable), then it would mean financial ruin for the club.

In addition to the possibility of losing money due to declining attendance, Rio Nacionale must also worry about losing its A division status. There are 26 teams in the A division. The top 16 teams advance to the playoffs. Under league rules it is possible that if a team finishes in the bottom five for three consecutive seasons the League Commissioner can decide to drop that team down to the B division. Rio has finished in 25th place and 22nd place the last two years respectively. Not only would demotion mean further financial losses, it would also be an intolerable blow to the team's prestige. Thus, Rio Nacionale has a lot at stake in signing Diego Primadonna. Few clubs, even those that are doing well, are willing to offer Primadonna a starting position due to his age and recent injury.

This year, Alfonso Bravo was to have been paid \$300,000. In view of the emergency situation and the great desire of the Director of Player Personnel to obtain Diego Primadonna, the owners of Rio Nacionale have authorized you to offer him up to \$450,000 should that be necessary. If he holds out for more than that, the club will just have to rush the young reserve forward into the starting team and hope that he miraculously rises to the occasion. The team simply cannot afford to pay the lavish salaries they used to be able to afford when the team was doing well.

You should also bear in mind the potential adverse impact on future negotiations with other performers should you agree to an unusually high salary for Diego. The Director of Player Personnel wants Diego, despite thinking that he may be too old for the demands of a rigorous season. The Director believes that with the proper physical conditioning and a little luck Diego could work out extremely well. In any event, there is little alternative. As it is, the late announcement of Bravo's injury may adversely affect box office sales. The Director of Player Personnel is hoping, however, for a favorable public response to the announcement that Rio Nacionale is bringing back Diego Primadonna. Prepare for your meeting with Diego's agent.



Be the change

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The Shoe Shop Exercise:

The Exercise Timing:

1. Distributing and reading the hand outs	5minutes.
2. Receiving the Answers	5minutes.
3. Having the Group reaching one answer	10 minutes.
4. Debriefing the Exercise and elaborating the Inference Ladder	20minutes.

The Shoe Shop Problem

A Customer walks into a shoe shop early one morning. The Customer finds a pair of shoes. The price of the shoes is \$60.00 and the Customer gives the Shoe shop owner a \$100 bill. The Shoe shop owner does not have change for the \$100 bill, so the Shoe shop owner goes next door to the restaurant and asks for change. The restaurant gives the Shoe shop owner 10, \$10 bills in exchange for the \$100 bill. The Shoe shop owner returns to the shoe shop, gives the Customer the shoes and \$40 change. Later in the day, the Owner of the restaurant comes to the shoe shop and tells the Shoe shop owner that the \$100 bill is counterfeit and demands \$100 back. The Shoe shop owner gives the Owner of the restaurant \$100. Not counting the price of the shoes (\$60.00), how much cash has the shoe shop lost?

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Framing:

The Exercise Timing:

• Distributing the handouts on two groups with reading them	7 minutes.
• Receiving the Choices	5 minutes.
• Debriefing the Exercise and entering the Framing Tool	15 minutes.

GROUP 1

An outbreak of a flu epidemic is contained in one of the provinces of our country. Currently 600 people have been diagnosed infected. Unless something is done they all may die. Two alternative plans are being considered. Which would you favor?

(A) If Plan A is adopted, 200 people will be saved.

(B) If Plan B is adopted, there is a one-third probability that all will be saved and a two-thirds probability that none will be saved.

Circle the plan you favor.

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GROUP 2

An outbreak of a flu epidemic is contained in one of the provinces of our country. Currently 600 people have been diagnosed infected. Unless something is done they all may die. Two alternative plans are being considered. Which would you favor?

(A) If Program A is adopted, 400 people will die.

(B) If Program B is adopted, there is a one-third probability that no one will die, and a two-thirds probability that all will die.

Circle the plan you favor.

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THREE PARTY COALITION

You are negotiator for

Group A

Group B

Group C

Groups A, B, and C are three independent organizations. Each has designated a representative to send to a three way negotiation. The representatives are empowered to make decisions for their organizations. It is unclear if they are going to have any future dealings.

The three groups have been told by a higher authority that if they work together there are benefits to be had. Indeed, the benefits are explicit.

If A and B and C can work together they can share benefits totaling **121**. How they want to divide up the benefits is up to them, but they have to agree upon exact allocation of benefits before they will be made available.

If only two of the parties work together, there are lesser amounts of benefits available (see schedule of benefits below). Again, any combination that decides to work together must agree on how to split the benefits of cooperation. Any division is permissible.

Only one agreement is possible. That is, either the parties agree to a three way allocation or two parties decide to work together leaving the third group with nothing.

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SCHEDULE OF BENEFITS

A alone gets -- 0

B alone gets -- 0

C alone gets -- 0

Just A and B together -- 118

Just A and C together – 84

Just B and C together – 50

A, B, and C together – 121

Each representative's goal as he or she enters these negotiations is to get the greatest number of points possible for himself or herself in the time allotted.

The three representatives should meet together initially to introduce themselves and to formally start the negotiations. Once negotiations begin, you will have about 20 minutes to reach an agreement. If two of the three representatives wish to speak privately, the third representative may not interrupt them for 2 minutes. (although he or she may listen to what they are saying). If any agreement is reached, it must last for at least 1 minute before negotiations conclude. Two of the three parties can conclude negotiations.

RESULTS OF THE NEGOTIAIONS

Was an agreement reached?

YES NO

What was the agreement?

A got _____

B got _____

C got _____

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THE NORKEST DISTRICT*

General Information

SUMMARY

This simulation involves an ethnic minority conflict in the newly independent state of **Darbek**. It involves two parties: the **Government of Darbek (Darbek)** and the **Norket District National Movement (NDNM)**, representing ethnic Norkets residing primarily in a small district in Darbek (the Norket District) that borders the state of Norket. Long-standing ethnic tensions between ethnic Norkets and Darbeks in the District have escalated significantly. With the encouragement of the OSCE, the parties have agreed to meet to explore whether they might be able to negotiate a peaceful resolution to the conflict.

The purpose of the simulation is to explore and reflect on strategies and impacts of interest-based approaches to negotiation, including: analyzing the parties' positions and underlying interests; developing options and packages to meet the parties' interests; developing measures to strengthen dialogue and trust between the parties; communicating effectively, and designing a long-term process to lead to a durable agreement.

There will likely not be enough time in this simulation to develop a detailed and comprehensive written commitment on the issues in dispute. This is not the focus or goal of the simulation. The debriefing and discussion of this simulation will focus on the **process** used to negotiate, with the goal of extracting specific advice and guidelines that will be useful to you in your real-life negotiations. In order to gain as much as possible from this simulation, you are urged to avoid relying excessively on ambiguity or procedural agreements (e.g., committees) as a method of compromise. Rather, on those issues you have time to address, the hope is that you will develop concrete agreements.

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BACKGROUND TO THE PROBLEM

Norket and Darbek are neighboring countries that find themselves in an historic period of transition. Darbek is a newly independent state. Prior to gaining its independence, Darbek was part of the Empire, a large, multi-ethnic country historically organized along authoritarian socialist lines. Norket is a newly emerging democracy that has been slowly making a transition from 45 years of totalitarian rule during which it had been in the Empire's "sphere of influence." Both Norket and Darbek are members of the Organization for Security and Cooperation in Europe (OSCE) and the United Nations (UN).

The Norket District is a district in Darbek near the Norket-Darbek border (see map). It has historically been a source of conflict, and with the dissolution of the Empire is re-emerging as a potential flashpoint. Currently, the ethnic makeup of the Norket District is approximately 65% Norket and 30% Darbek, with about 5% other ethnic minorities. As recently as eighty years ago, the Darbek population in the Norket District was no more than 5%. Migration, urbanization, economic opportunities, and the much higher birth rates among ethnic Darbeks provide at least partial explanation for the shift in demographics. This shift has caused grave concern among Norkets, who fear that if the trend continues, they will not be able to preserve themselves as a national people in the future.

The Norket District was originally settled mostly by ethnic Norkets, and Norkets continue to claim that Norket control of the territory of the modern Norket District dates back more than 800 years. The Norkets claim that Darbeks' control over the land was the result of illegitimate aggression by the ancestors of the modern Darbek nation. Darbeks, on the other hand, argue the Norket District was the land where Darbeks first appeared as a separate people even before the District came under Norket control, and that their ancestors were assimilated, sometimes forcibly, by the Norkets during their reign over this territory. Thus modern Darbeks consider themselves to be the heirs of that ancient nation and claim their rights to all of the land that ancient nation had settled.

Over the last millennium, Norket and Darbek have clashed repeatedly. One of the major Darbek national holidays commemorates the anniversary of the battle that sealed Darbek control over the District 150 years ago. The Darbek commander, Stanislav the Ferocious, defeated a Norket force, killing all but two Norket soldiers so that they could return to their land and tell the Norket people the fate that befell their army. The Norkets, on the other hand, celebrate poets and balladeers who recount the heroism of the Norkets and efforts to bring civilization and culture to the "backward" Darbeks.

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Historically, the District was settled mostly by ethnic Norkets. Darbeks claim, however, they had a significant population in the District until Darbek was incorporated into the Empire 100 years ago, and the Empire, in cooperation with Norket, began deporting ethnic Darbeks. Darbeks argue that the Empire and Norket secretly agreed to allow the Empire to retain the Norket District (as part of Darbek), and in exchange for a guarantee from the Empire that the population remained Norket and would grant the District considerable autonomy in running its affairs. At that time, the Norket District was organized into an autonomous region of the Darbek province of the Empire. The mass deportations of ethnic Darbeks that followed are still remembered with bitterness by Darbeks today.

The standard of living in Norket is 1.5 to 2 times higher than in Darbek, and although the standard of living in the Norket District has been significantly higher than the average in Darbek, it does not meet the standard of living in Norket. Infrastructure in the District is poor, and there is no real industry or urban area in the area. There are few opportunities for educated Norkets from the District because none of Darbek's large industries are located in the District and because Darbek law severely limits opportunities for Norkets to find government employment in Darbek. Norket politicians recently cited these economic conditions as evidence of Darbek's "intentional anti-Norket policies." By contrast, Darbeks in the District are generally better educated than Darbeks from other regions, and they enjoy many opportunities in Darbek's well-developed industrial sector as well as in the arts and sciences. Indeed, many of Darbek's leading politicians, scientists, artists and actors come from the Norket District.

The political structures in the Norket District are based on a collection of systems which were inherited from the Empire. As an autonomous region, the District has a governor and a parliament. However, the Governor is appointed by the Darbek national government, and the parliament traditionally served only as a rubber stamp for measures adopted by the Governor or by the Darbek government.

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Recent Tensions in the Norket District

After Darbek regained its independence, the Government of Darbek (GOD) has worked to consolidate its sovereignty and to reclaim Darbek national identity and culture after nearly a century of Emperian rule. The measures that ethnic Norkets have found particularly offensive are a series of restrictive voting and language laws. The Darbek language legislation, proposed and supported by extreme Nationalists in the Darbek Parliament, made Darbek the state language and prohibited the use of any language other than Darbek on commercial and road signs. Norket language schools are permitted, but they receive no financing from the state. Furthermore, Norkets educated in the Norket language are required to pass a Darbek language and history exam in order to obtain employment in the public sector. The same exam is not required of ethnic Darbeks.

The Citizenship law required that the applicant demonstrate a “working knowledge” of Darbek in order to register to vote. Local Darbek officials are responsible for conducting the tests, which in the law’s short existence, few Norkets have passed.

The passage of these laws led to a barrage of highly charged rhetoric from both Darbek and Norket. The Darbek government defended the moves, saying that "it is time we put Darbeks back in charge of their own affairs," and that "we must end the economically unrealistic, and ethnically biased policies used by the Empire to buy the favor of minority groups." The laws, it claims, do not discriminate against anyone who is willing to be a loyal citizen of Darbek. Norkets in the District, however, perceive these moves as attempts to "Darbekize" the country and drive Norkets out of the District. One leader of the Norket community in Darbek said, "we have seen what ethnic cleansing and apartheid are like, we must act swiftly to restore the District to its historical status." The latter remark is a reference to past campaigns by Norkets in Darbek to reunite the Norket District with Norket.

Recent Developments

Shortly after the passage of the language and citizenship laws, the Norket District National Movement (“NDNM”), a Norket nationalist party that controls a majority of the seats in the Norket District parliament, presented to the governments of Norket and Darbek a petition calling for a referendum in the Norket District to permit the District to join Norket. Under the Darbek constitution, a change in the status of the Norket District requires the approval of the Darbek government and Parliament. The Prime Minister of Darbek angrily rejected the petition, and claimed that it was the result of an effort by the Norket government to "steal" land from Darbek.

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In response to the efforts of the NDNM, Darbeks formed the Darbek People's Movement ("DPM"). The DPM organized a march by hundreds of Darbeks to the District capital to support their Darbek compatriots and to demonstrate the Darbeks' historic rights to the Norket District. Clashes between Norkets and Darbeks resulted, leading to several instances of bloodshed before the local police were able to regain control.

Further violent incidents have heightened tensions even further. A second series of deadly clashes was sparked when a Darbek motorist hit and killed a Norket child in the District. Outraged Norkets who witnessed the accident tried to organize their own trial on the spot, but other Darbeks and the District Police arrived to stop it. There were a series of skirmishes over the next several hours, with each group claiming that it was seeking "justice" or "revenge" for the earlier incidents. Rumors about murders and repression of Norkets by Darbeks were spread by refugees in Norket, and attacks on Darbeks in the Norket District became more frequent and cruel.

In response to these events, the Norket government made statements of support for the plight of their "brethren across the border" at a recent meeting of the OSCE Permanent Council in Vienna. The Norket government asked the OSCE to take action to force Darbek to repeal its restrictive language and citizenship laws and allow a referendum on independence for residents of the District. Norket pointed to prior violations of the autonomy of the Norket District, and has angrily insisted that Darbek do more than merely promise to protect rights in the District. The Norket government was careful not to insist on the **immediate** incorporation of the Norket District within its borders. Darbek rejects the idea of a referendum saying that "all the citizens of the District are Darbeks, whether they are of Norket or Darbek descent."

Groups of armed Norket civilians have now moved into areas near the Norket-Darbek border and have voiced their willingness to support Norkets in the District against "further oppression and violence" by Darbeks. Although it had remained relatively silent during the unfolding of the current crisis, Emperia, the successor state to the Empire, has said it "views the situation with grave concern for the peoples involved and for the negative effect of the conflict on regional stability." In light of these concerns, Emperia has offered to send its forces into the area as peacekeepers.

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The Flag Incident

Recently, Norket nationalists modified a Norket flag and called it the flag of an independent Norket District and planted the flag in the middle of a small park in a neighborhood that is predominantly Norket. The flag is visible from one of the busiest highways in the District and thus could be seen by hundreds of people on their way to work this morning. There are already rumors that members of the Darbek People's Movement plan a counter demonstration this evening. It is rumored that they plan to lead a march into the neighborhood, burn the Norket District flag and plant a Darbek flag. Other Darbek leaders in the District have called on the District's governor to have the flag removed.

The flag incident sparked heightened concern in the OSCE, prompting the Chairman-in-Office to contact both the Darbek President and the Chairman of the Norket District Parliament. In his conversations with the two leaders, the Chairman-in-Office made it clear that while the OSCE is anxious to see this issue resolved and the tensions lowered, the likelihood of OSCE action in the near future is questionable. The Chairman-in-Office encouraged the leaders to try to resolve their differences through dialogue before he prepares a report to the Permanent Council, and he offered to provide facilities at a neutral site for an initial, informal, unofficial, exploratory meeting between the designated negotiators for both sides: the Minister of the Presidency of Darbek, and the Deputy Chairman of the NDNM. That meeting will take place later today.

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THE NORKEST DISTRICT*

Confidential Instructions for the Representative of the Darbek Government

You are the Minister of the Presidency of Darbek and a trusted adviser and long-time friend of the President of Darbek. The President himself has asked you to meet with the Norket District National Movement (NDNM). You have learned that the representative you will be meeting is the Deputy Chairman of the NDNM, the group the President considers responsible for starting the separatist fervor that has swept across the District. The following summarizes the results of your last discussion with the President on this matter.

ANALYSIS OF THE CURRENT SITUATION

This is the land of the Darbek people, and it is here where it actually appeared as a separate people from the synthesis of the local population and the migrating tribes. The medieval fortress which used to be the center of the largest and most powerful Darbek state before it joined the Empire is located in the District. Our cultural heritage lies in the District. Before joining the Empire, the Darbek people had a numerical majority on the territory of the modern Norket state, until the recent tragic and cruel deportations left the Darbeks a minority in those lands. This obvious policy of forcing Darbeks out has been implemented by the Norket leaders on all their captive lands for a long time, and now they want to tear the historical heart out of our country's breast, to take away the cradle of our nation. This can only provoke just indignation.

It is not surprising that the deportation of many Darbeks from the District during the reign of the Empire created significant resentment among the Darbek population. Unfortunately, it has not been possible to control how some radicals in Darbek have treated Norkets recently. We are, of course, sorry for the clashes and even murders that took place, but it is impossible to deny that these events, the inter-ethnic clashes and the destabilization of the internal situation, were provoked by the actions of the separatists of the Norket District and the National Movement in Norket.

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BASIC CONCERNS

The overriding immediate concern of the Government of Darbek (GOD) is to keep the Norket District in Darbek and to end the secessionist activities there. The President is very worried that, if the referendum takes place, there will be serious violence, and all chances for peacefully resolving the status of the District will disappear. A referendum might even spark a full-scale civil war. There is also worry that the Emperia might use the unrest in the District as an excuse to intervene and reassert control over Darbek.

In the long term, our primary concern is for the continued development of a democratic and independent Darbek state, free from interference from Norket and Emperia and that is integrated into and accepted by western political and economic institutions. We do not intend to build a Darbek state for ethnic Darbek only. We regard any person of Norket descent who is willing to be loyal to the Darbek government and learn our language as an equal citizen. We also recognize the right of ethnic Norkets to preserve their cultural heritage and language, and we are prepared to accommodate and protect their rights as a minority.

The President has told you that he is willing to be quite flexible on the issue of autonomy for the Norket District, and even accept some “asymmetric” autonomy that would give the District more rights than other districts in Darbek. He insists, however, that the District remain as a province of the Darbek State, and that the ethnic Norkets in the District do not receive treatment that is disproportionately favorable compared with Darbek in other districts in the country.

It should be remembered that the standard of living in the District is higher than that of neighboring areas of Darbek. Thus, it is clear that our government does not exploit Norketians and has actually made an effort to foster conditions for economic activity. We make no claims against our neighbors. At the same time, we will not let others lay claim to our land, which we inherited from our ancestors. Our peoples have lived together, on the territory of this District for a millennium, and there are no reasons why in the future, in a reformed and democratized Darbek, they should not be able to coexist.

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While the President is flexible on political reform and autonomy arrangements in the long term, he is under pressure from more extremist groups in the Parliament. It was these groups in Parliament who made the citizenship and language legislation much harsher than the President would have liked (while he supported the requirement that Norkets learn the Darbek language, he opposed the elimination of government subsidies for Norket language schools and had proposed providing subsidies and programs to assist Norkets in learning Darbek; he supported the citizenship legislation to catch recent Norket immigrants to the District whom he believes are being sent by Norket to counter the natural demographic trend in the District). These groups have also supported the activities of the Darbek People's Movement ("DPM"), and have recently been gaining significant popular support because of its vocal resistance to the separatist tendencies of the Norket District. With elections only a year away, we must be sure to minimize the extent to which the DPM can use the situation in the District as a tool for generating further support. Accordingly, we do not believe that the Norket government should play a formal role in these negotiations, and it certainly cannot participate in any manner that suggests that it is an equal party. Similarly, if our policy receives negative coverage in the media, then our ability to negotiate real reform for the District will be constrained or eliminated. We cannot take any move if it means losing face. Thus, the sequence of the negotiations and of any agreements is critical. In particular, while the President is willing to explore options for political reform in the District privately, he cannot now **commit** to any new autonomy arrangements, at least not until elections.

Maneuvering between the extremist demands of our own nationalistic Darbek People's Party and pursuing an enlightened policy toward the District are our best hopes for the democratic and economic development of the whole nation. We hope the Norket representative will understand that. The alternative is chaos, civil war and the inevitable loss of the Norket District in a situation of complete political destabilization. Our national interests therefore require that we do make some reasonable reforms in the District, take some precautionary measures to prevent further violence in the District, and protect Darbek from military incursions from Norket. **However**, it must be clearly understood that any political reform or other action taken to stabilize the situation in the District has to be seen as furthering the goal of building an independent Darbek state. We cannot be seen as having made concessions to the Norkets in the District, the Norket government, or the international community.

The Attachments

APPROACH TO THE TALKS

We should also seek to find measures to stabilize the situation in the District. The recent flag incident risks becoming an uncontrollable spark. The Norket District National Movement must be contained and it is not clear that our District police forces alone will be sufficient to preserve the peace and protect the lives of Darbeks in the District.

In your upcoming meeting, you are free to explore any arrangements you think are interesting. If you decide to break off negotiations, the President would like a report on how you propose to meet our interests if we do not negotiate with the NDNM. We wish you luck in dealing with this delicate and crucial matter.

The Attachments

THE NORKEST DISTRICT*

Confidential Instructions for the Representative of the NORKEST DISTRICT NATIONAL MOVEMENT

You have been Vice-Chairman of the Norket District National Movement ("NDNM") since the creation of the movement and are a member of the District Parliament. You have consulted with your colleagues in the District Parliament and the NDNM to prepare for your meeting with the Minister of the Presidency of Darbek. The Minister is a close adviser and friend to the Darbek President. The following memo represents the thinking of the Chairman and of your colleagues regarding the current situation in the District and the upcoming meeting:

BACKGROUND

At the beginning of the signature gathering campaign, the NDNM was a relatively small movement which included only a few members of parliament. However, the overwhelming support garnered by the NDNM led many members of parliament to join the NDNM. The NDNM now controls a majority of the seats in the District Parliament, and most people in the District now consider the District Parliament the only legal government of the District because the District Governor is controlled by the Darbek government. There are some parliament members who represent Darbeks living in the District, and they are clearly interested in preserving the situation the way it used to be. The Darbeks have only a few seats, however, and their political organization does not have much power.

ANALYSIS OF THE CURRENT SITUATION

Historically, the Norket District has been the land of the Norket people: all medieval chronicles and travel diaries of the 17-18th centuries unanimously testify that this land was settled by our ancestors who were called by the same names, observed the same religion and were the same nation as we are. Since the appearance of our nation and until the last century, the District and its surrounding area have been in the hands of our own princes. Our princes have sometimes recognized their dependency on the Darbek aggressors and accepted titles granted to them by the aggressors, but the land clearly represents the homeland of our people.

* This case was written by Diana Chigas and Michael Moffitt based on a case by Dr. Bruce Allyn and Arthur Martirosyan, Conflict Management Group, and Dr. Anatoly Yamskov, Institute of Ethnology and Anthropology, Russian Academy of Sciences. Copyright © 1999 by Conflict Management Group. All rights reserved.

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The modern borders of the Norket District were determined by the imperial government in its attempt to please the Darbek people, and many neighboring areas which were Norket from time immemorial were not included in the borders of the District. Since the borders were drawn, the Darbek government has adopted a policy of deporting Norkets from the lands around the District. The Darbek government has now started to implement the same policy in the District itself, ignoring the District's autonomous status. Only through the reunification of Norket with the Norket District can we make it possible for the Norkets to preserve ourselves as a nation in the future.

The Darbek government says that it is interested in democratization, but its actions indicate that it is only interested in democracy for Darbeks. The recent citizenship and language laws, which discriminate against Norkets in Darbek, are evidence of their true intentions. Everyone is rejecting such old policies except the Darbek government and the Darbek People's Movement, who seem to oppose the principle of self-determination when it is politically convenient for them to do so. Ethnic Norkets who live outside the District in Darbek are being deported and sometimes murdered, but the Darbek government does not find it necessary to put an end to these crimes. Almost all our compatriots have now been deported from Darbek regions outside the District.

BASIC CONCERNs

In the short term, we need to stabilize the situation in the District and ensure that the rights of ethnic Norkets in Darbek – and in the District in particular – are fully protected. The recent citizenship and language laws discriminate against ethnic Norkets in the District, and have created a situation in which Norkets feel stateless, without an identity and ability to make their voice heard in the supposedly “democratic” Darbek. As a result, many Norkets from the District are considering leaving, pushed out by Darbek’s discriminatory policies. Indeed, we suspect that this might be the true goal of the Darbek government, and we are determined not to legitimize this effort. We have been losing ground demographically in the District as the Darbek population has increased from 5% to 30% in very few years, and if the Darbek legislation pushes more people to leave, we will soon become a minority in our own land.

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The other consequence of the Darbek government's recent discriminatory acts and the activities of the Darbek People's Movement is a heightened level of instability. Now for the first time the leaders of the NDNM are concerned that even more radical separatist groups may be emerging. The recent flag incident demonstrates this concern. The flag was not planted by members of the NDNM. In fact, members of our movement are intervening in order to prevent either (1) a violent clash between Darbek nationalists and those that planted the flag, or (2) reprisals by Darbek nationalists against the Norkets who are trying to live peacefully in the neighborhood. Publicly, the NDNM leadership is not denying that members of our movement planted the flag because we want to because we want to maintain the NDNM's position as the single representative of the Norkets in the District.

The leadership is also concerned about the rise in militancy of the Darbek nationalists and fear that they may be ready to launch armed attacks against the District. The current level of instability must be tamed and the rhetoric must be toned down.

In the long term, our ultimate goal is to reunite with Norket. We have special ties to Norket (many people have family in Norket, for example), and we believe that as a people we cannot be secure and able to develop if we cannot continue to develop a special relationship with the Norket state as a trading partner, protector and supporter. We do recognize, however, that unless the Government of Darbek agrees, this is not likely to happen (the international community is not likely to recognize any unilateral declarations on our part), and, moreover, there are some disadvantages of rejoining Norket, such as being "swallowed up" by the larger and more established government of Norket. As a result, we are not adamant about reunification as our goal and are willing to explore other federal and confederal arrangements that would preserve our special ties with Norket and guarantee Norkets in the District their rights as a minority, including autonomy to run their own affairs as well as resources to do so effectively. We do not think it would be enough for Darbek to guarantee our cultural rights – though that would be an important positive step. We want political power and the right to control our affairs so we can feel secure from any possible future attempts by Darbek nationalists to eliminate us.

We remain very interested in pursuing talks with the Darbek government. You are free to explore any arrangements you think are interesting. If you decide to break off negotiations, the NDNM and Parliament members will need to know how you propose to meet our interests if we do not negotiate with Darbek. We wish you luck in dealing with this delicate and crucial matter.

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The Attachments

The Available Kidney

You are known as a negotiation specialist and are asked for help by a large hospital. You have to make a very important and difficult decision for them. In the hospital are four patients, each of whom needs an immediate kidney transplant. Unfortunately, only one donor kidney is available at this time. Each of the four patients is compatible with the available kidney. In all likelihood, this is not a matter of life and death but involves enormous pain, sacrifice and personal cost for the patients who will not get the kidney now.

Four surgeons (not related to the patients) were asked to represent the four patients' interests.

You will meet the four surgeons in five minutes and will have to negotiate about who will be the recipient of the kidney. Time is scarce and you will have to make a decision within the next 30 minutes. The hospital has made clear to you that it is crucial for them that you make a decision (rather than no decision at all). Obviously, your reputation depends on reaching a decision as well. You prefer unanimous agreement on one patient but given the delicate nature of the situation, this will be very hard to achieve. In any case, you are the only party with veto power. Thus, even if you have to make the decision unilaterally, you should make it.

While the four surgeons have all the information you do, they do not know that the hospital has given you the right to decide unilaterally. Each of them knows the situation of her/his patient best but is also aware of the attributes of each patient below:

Kariim is a 38-year old Sunni man.

Basma is a 30-year old Shia woman.

Azize is a 23-year old Shia woman.

Mako is a 12-year old Kurdish boy.

The Attachments

The Available Kidney

You are a surgeon in a large hospital and are asked to represent the interests of one of your patients (who you are not related to) in a very difficult situation. Your patient needs an immediate kidney transplant but there are three other patients in the hospital who are in the very same situation. Unfortunately, only one donor kidney is available at this time. Each of the four patients is compatible with the available kidney. In all likelihood, this is not a matter of life and death but it involves enormous pain, sacrifice and personal cost for the patient and will not get the kidney now.

The hospital has asked a well-known expert on negotiation for help. He is asked to negotiate with the four surgeons representing their respective patients' interests and find a solution to this difficult problem. The hospital has made clear that it is crucial for them that your group makes a decision (rather than no decision at all).

You will meet the expert and the three other surgeons in five minutes and will have to negotiate about who will be the recipient of the kidney. Time is very scarce and your group will have to come up with a solution within the next 30 minutes.

While the expert and the three other surgeons have the information you do, they are only aware of the highlighted characteristics of your patient. Only you know the specifics about your patient.

The patient you represent is **Kariim**, a **38 year old Sunni man** who is a father of six and a well known and respected civil engineer. He also teaches math at community school and is a devout leader in the Sufi brotherhood.

The three other patients are

Basma is a 30-year old Shia woman.

Azize is a 23-year old Shia woman.

Mako is a 12-year old Kurdish boy.

The Attachments

The Available Kidney

You are a surgeon in a large hospital and are asked to represent the interests of one of your patients (who you are not related to) in a very difficult situation. Your patient needs an immediate kidney transplant but there are three other patients in the hospital who are in the very same situation. Unfortunately, only one donor kidney is available at this time. Each of the four patients is compatible with the available kidney. In all likelihood, this is not a matter of life and death but it involves enormous pain, sacrifice and personal cost for the patient and will not get the kidney now.

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While the expert and the three other surgeons have the information you do, they are only aware of the highlighted characteristics of your patient. Only you know the specifics about your patient.

The patient you represent is **Mako**, a brilliant **12-year old Kurdish** musician. Despite his young age, he has won numerous prizes and is said to play zirne like no one else. He lives with his parents who are both working very hard to enable their son to have this career.

The three other patients are
Kariim is a **38-year old Sunni man**.

Basma is a **30-year old Shia woman**.

Azize is a **23-year old Shia woman**.

The Attachments

The Available Kidney

You are a surgeon in a large hospital and are asked to represent the interests of one of your patients (who you are not related to) in a very difficult situation. Your patient needs an immediate kidney transplant but there are three other patients in the hospital who are in the very same situation. Unfortunately, only one donor kidney is available at this time. Each of the four patients is compatible with the available kidney. In all likelihood, this is not a matter of life and death but it involves enormous pain, sacrifice and personal cost for the patient and will not get the kidney now.

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You will meet the expert and the three other surgeons in five minutes and will have to negotiate about who will be the recipient of the kidney. Time is very scarce and your group will have to come up with a solution within the next 30 minutes.

While the expert and the three other surgeons have the information you do, they are only aware of the highlighted characteristics of your patient. Only you know the specifics about your patient.

The patient you represent is **Basma**, a **30-year old Shia widow** and elementary school teacher with three children, a ten year old boy, a seven year old daughter and a baby boy who was born four months ago. Her husband died when fighting broke out recently, however, he did not belong to either fighting faction.

The three other patients are

Kariim is a 38-year old Sunni man.

Azize is a 23-year old Shia woman.

Mako is a 12-year old Kurdish boy.

The Attachments

The Available Kidney

You are a surgeon in a large hospital and are asked to represent the interests of one of your patients (who you are not related to) in a very difficult situation. Your patient needs an immediate kidney transplant but there are three other patients in the hospital who are in the very same situation. Unfortunately, only one donor kidney is available at this time. Each of the four patients is compatible with the available kidney. In all likelihood, this is not a matter of life and death but it involves enormous pain, sacrifice and personal cost for the patient and will not get the kidney now.

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While the expert and the three other surgeons have the information you do, they are only aware of the highlighted characteristics of your patient. Only you know the specifics about your patient.

The patient you represent is **Azize**, a **23-year old Shia girl**, a scientist who is pursuing a promising line of research that will hopefully lead to a cure of genetic diseases. Despite her age, she is already famous for her work and very well respected in the scientific community. She is single, lives with her parents and has no children.

The three other patients are

Kariim is a 38-year old Sunni man.

Basma is a 30-year old Shia woman.

Mako is a 12-year old Kurdish boy.

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An Urgent Memo to the Negotiator From General Manager of the Hospital

The preliminary test results have turned out incorrect. The tissue compatibility analysis is done only in one lab in our town and the margin of error is significant since they are using outdated German equipment donated to the lab ten years ago. Unfortunately, the patient selected by your team for the procedure does not qualify for transplantation. We understand that this issue can be easily politicized but medicine is above politics. We strongly recommend that you reconvene the team and come up with a new decision in the next 15 minutes. The remaining three patients should not have any problems with tissue compatibility. This will be in all likelihood the final choice. However, the hospital is unlikely to have any kidney for transplantation in the next three months. Patients are likely to have complications in this period and may need dialysis treatment. You and surgeons representing patients have to come up with a new press release explaining the situation and leaving no room for local media and politicians to manipulate this issue



Be the change

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The Tools Real Applications

IDPs Conflict with LG in Kirkuk

Conflict Background:

After the fall of the Hussein regime and the confused situation in most Iraqi cities, many families originally from Kirkuk were forcibly displaced for political and ethnic reasons. They have now returned to Kirkuk over the past decade. Some of them have returned to their homes, while others have none to return to. At a time, there were 386 families living in Kirkuk Stadium. In addition to these, there were 30 other families from Kirkuk that weren't displaced, but have no houses and have no financial freedom to rent. They have joined the displaced and lived at the stadium as well, making 416 families in total. These families have survived in the Stadium by installing tents, and building simple rooms on the stadium field. The conflict arose between these families and the Olympic Committee because the stadium is an OC institution. The Local Government also became involved because of the illegal use of the stadium.

The program participant's role:

Rizgar Hama, a Kurdish CM specialist, was also forcibly displaced (though not living in the stadium) and has a very good relationship with the displaced families and the local government in Kirkuk. He has gained the trust of the parties involved, and is well-positioned to be the mediator of this conflict.

Tools Used in Managing the Conflict:

Rizgar has used the Seven Elements tool in combination with the Framing Tool to get this conflict solved.

Communication & Relationship:

The relationship was slightly hectic at the very beginning, as was the general situation all over Iraq, because the local governments were trying to expel the IDPs from governmental institutions and buildings, and the same was true at the Kirkuk Stadium. Then the relationship deteriorated when the IDP families ignored all the Local Government's request for them to leave the stadium and threatened to use violence if the government persisted. Communication gradually deteriorated, but when Rizgar started his individual dialogues with each of the conflicting parties looking to satisfy their interests with creative solutions, he was able to have each party understand the other's interests.

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The Unbiased Communication Process:

Rizgar held many meetings with each of the conflicting parties, so due to the nature of each of the conflicting parties, he requested the displaced families to select some of them to establish a committee that can represent them in the direct negotiation sessions with other conflicting parties.

Conflicting Parties Interests:

Displaced Families Interests:

1. Securing a home to live in for a long-term period.
2. Securing a resource for renting houses or a piece of land and compensation for building a house.
3. Experience fair treatment after being oppressed under the Hussein regime.

The Olympic Committee and the Local Government Interests: (assumption is that their interests are the same)

1. IDPs vacate the stadium in order avail it for recreational purposes.
2. Controlling the security situation inside the city preventing violent escalations.
3. Gaining the support of these families because the Local Government has thought of them as voters in the coming election
4. Using this issue as an indicator of their political parties' ability to manage such issues and compete with other parties on getting more votes.
5. The stadium may be used by some big events for business and this will add additional fund for the Olympic Committee.

Options:

The three parties had many joint meetings to discuss the problem and the available solutions in accordance with their interests, and came up with some reasonable options. Due to limited available funds, they were unable to implement them immediately, so they suggested involving the Central Government in the negotiation process. With Rizgar leading the effort, they were able to gain the Central Government support for the following steps:

The Attachments

- Dividing the families into two categories; the displaced families and the poor families and compensating the displaced families with 10,000,000 IQD while the poor families will be compensated with 5,000,000 IQD without any piece of land. In return they will evacuate the stadium.
- The compensation will be from the Central Government, while implementing the agreement will be by the local government.

The Criteria:

The Government Criteria:

1. The Local Government is the elected authority that has the power to direct its institutions in accordance with the Iraqi Law regulations: Law and order

The Displaced Families Criteria:

1. The displaced families have been displaced under the previous regime and lost their homes, and they have the right to return to their city by law (There is an association established after the formation of the new Iraqi Government to address issues of lands, houses and properties taken by the previous regime)
2. The poor are Iraqi families and they have rights in the country and the Government is responsible for their well-being.

The Commitment:

Both conflicting parties have agreed on the option of vacating the stadium and receiving compensation from the government, but when it comes in to implementing this agreement, both sides show distrust in the other. Families thought that an agreement with the government may be just a pretext for getting them to vacate the stadium leaving them with nothing in return, and the local government thought the same. They thought that the families would take the compensation and continue living in the stadium in order to draw more benefits. Here, the mediator has come up with a creative solution to get the governmental committee of compensation working in the stadium and giving the compensation to any family that packs its belongings and leaves the stadium, and through this solution one of the most important conflicts in Kirkuk has been solved.

The Attachments

Managing the Conflict between Shabak and Christian in Mousel

The Conflict background:

The conflict was caused by the coincidence of the Christmas celebration with the Anniversary of the Ashoora, a sacred occasion of mourning for Shia in Iraq. On December 25th of 2009, Shia Shabak placed banners to express the occasion's sentiments, as is tradition, but due to the date of this occasion there was a kind of sensitivity between the Shabak and Christians who were accustomed to enjoying Christmas Celebrations. Some of the banners were close to a church in the Burtala District, and some of the Christian guards considered it an insult. They removed the banners provoking young men from the Shabak to attack the Church. In response, the guards attacked them with guns and two young Shabak were wounded.

The CM Participant Role:

The CM participant was a Shabak leader, and intervened during these events and was chosen as one of the committee to represent Shabak. He refused and chose to play the mediator role neutrally, representing the sub district, instead.

The Tool Used by the Participant:

The participant has used the Seven Elements and the Tool of Options Development.

Identifying Unbiased Negotiation Teams:

The CM participant requested that the Christians establish a committee of five members for negotiation with the other party. Each party established a committee to meet with the other, and the CM participant was chosen to represent the Shabak, but he insisted on being the sub district's council representative in order to maintain his neutrality in the negotiation process. This was acceptable by Christians because they knew him as a neutral man without bias.

Shabak Committee:

1. The Representative of Higher Islamic Council Party.
2. The Sadir Stream Representative.
3. One of the Tribal Sheikhs.
4. One of the Social Figures.

In addition to CM Participant who was the sub district representative in the Committee.

The Attachments

While the other party (The Christian Committee) were:

1. A Christian Monk.
2. The Church Guards' leader.
3. A Social Figure
4. A Social Figure

In addition to a Christian sub district Council member.

The Communication and Relationship:

In these two districts in Ninawa, the relationship between Christians and the Shabak was amicable for hundreds of years. Christians participated in Ashoora rites and a wealthy Christian family provided food for Shia practicing their customs. But after the overthrow of the Hussein regime in 2003, Christians and Shabak were targeted by Al Qaida, so both became sensitive about their religious identity. In addition to that there were Shabak families that were displaced from Ninawa to Burtala and Hamdaniyah districts where the Christian majority reside. The majority refused to allow the Shabak to build a mosque in Burtala, where the Shabak outnumber the Christians. Furthermore the church warned Christians not to sell their homes to Muslims.

Once the clashes arose, the CM participant contacted the sub district mayor and the sub district head and then went the sub district building to meet them and was surprised to find a random demonstration of Shabak men protesting Christian practices. He tried to identify the leader, but it seemed random. The demonstration proceeded to the main market in Burtala and they vandalized shops and cars, eliciting a response from the Church guards to shoot, injuring two more Shabak men. While the CM participant, in cooperation with the mayor and head and some social figures from both parties, went to the market trying to calm the situation down, they contacted the security forces in order to defuse the situation. The CM participant also called the Ninawa Governor asking him to send more security forces. The additional forces imposed a curfew, allowing communications to continue. Communication began between the two committees to identify interests, but due to the emotional state of the Shabak with 4 men injured by Christians, it progressed with difficulty. Ultimately, the groups suggested the following points:

The Attachments

1. Church guards retreat from the streets are replaced by Iraqi police.
2. Sending the guards who injured the Shabak to the court. (Here, a problem arose because none knew exactly who were guilty, because most of the Church Guards fired shots. Using the Tool of Options Development by the CM participant, it was agreed to send two men as suspects).
3. Expressing the opposition of Christians to such behaviors and their respect to all of the religions through Satellite Channels.
4. Christians replace ten banners to encourage Shabak in their rites and to send a message that Christians are not against the Shabak.

All these points were implemented and positive environment emerged.

Interests:

The Christians Interests:

1. Stopping Shabak migration to Ninawa to maintain its Christian nature.
2. Providing strong security protection to them because of the many attacks
3. Proving themselves as a power on the ground for all and especially the Shabak (Shia) in order not to be discriminated against.
4. Compensating for damages during the protests.
5. Releasing their arrested members.

Shabak (Shia) Interests:

1. Replacing Christian's civil guards in the check points with Iraqi policemen, assuring neutrality.
2. Proving to all, and especially the Christians, that they are 50% of the population in the sub district.
3. Compensating the injured people.
4. Arresting the people who wounded the four Shabak men and sending them to court.

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Options Generated During the Negotiation Sessions and that have been agreed as agreement points:

1. Getting the Iraqi police investigating and identifying the guards who shot and the persons who attacked the cars and shops during the demonstration.
2. Compensating the injured people and those whose shops and cars were damaged during the demonstration.
3. Having the Iraqi police and Iraqi military forces responsible for the security situation in Burtala, and specifying the Church Guards in protecting the guards without allowing them to have check points in streets.
4. Keeping the displaced families during this period and working with Local Government in Ninawa to return them to their houses in Ninawa in order not to change the area's demography.

BATNAs (The Best Alternatives to a negotiated agreement):

In comparing the best alternative of each party, we realized that they were bad in comparison with the available options.

Christians BATNA:

1. Keeping the Guards in Street and using media against any pressure against them.
2. Getting KRG support if the Central Government position is against them.

Shabak BATNA:

1. Forming an armed Militia to do the same work of Churches guards.
2. Disrespecting the Christians rites.

The Criteria:

Christian Criteria:

1. They have the right to protect their sacred places.
2. They have been living in these areas for hundreds of years.

Shabak Criteria:

1. They have the right to practice their religion as they used to.
2. They are an equal part of the population in these areas.

Conclusion: After resolving this conflict, the two parties led by their leaders demonstrated respect and sympathy towards each other.

The Attachments

A conflict over land between a foreign investment company and some of the families:

The Conflict Parties:

1. A foreign investment company
2. Families living in the land

Conflict Background:

This conflict began when the investment company secured approvals from the Provincial Council and investment committee to construct housing using 800 acres of land. There were also 13 families that use about 400 acres of this same land for farming, though they've established no formal agreement or contract with the local government because of instability in this area. These 13 families, composed of about 150 individuals, are from different tribes, which strengthens their position against the investment company. The company representative has tried to appeal to the local government to claim the land, but the local government preferred that the company try for finding a compromise solution because of the instable situation, and didn't want to create new problems with these families. For this reason, the company representative would attempt to leverage his positive relationship with some influential figures in the province and among civil society leaders.

CM Network Member's Role:

CM participant Mrs. Awatif played the mediator role at the request of the company representative for her to intervene.

Tool Used:

CM mediator used the seven elements tool through adapting it in accordance with the Iraqi Context.

Relationship and Communication:

Before the conflict there was no relationship between the two conflicting parties. Tensions escalated after the company gained approvals for reconstructing a housing project. Each of the conflicting parties stuck to its position against the other, threatening one another of their "BATNAs," described below.

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The opening communication move of the company representative was to convince them to vacate the land because they were using it with no permission or a contract with the Local Government (LG), while the company has LG approval for implementing the project. When they rejected this request, the company tried to involve a CM participant in managing this conflict by leading some negotiation sessions after meeting the families' representatives without the involvement of the company representative because there was no trust between the two parties. The families discussed their interests and their potential positions towards the provincial LG if they prevented the company from building this housing project. The mediator was able to bring the groups together and discuss the suitability of some options that can satisfy some of their interests.

Interests:

Company Interests:

1. Implementing the housing project to gain anticipated profits.
2. Implementing the contract signed with LG for having it as a start for more projects.
3. Building a good positive relationship with LG and Salladine people.

Families Interests:

1. Getting financial compensation.
2. Avoiding any court issue for using the land illegally.
3. Avoiding the conflict with LG and the contracted company.
4. Getting some other privileges. Be more specific. What are those?

Options:

1. The Company offered to pay 20,000,000 IQD as compensation for each of the 13 families while the families had requested 50,000,000 IQD, so this was a kind of bargaining negotiation, for this reason mediator tried to "expand the pie" by adding other options to reach a compromised solution, and this Solution was:
 - Having the company pay 25,000,000 IQD to each of the families and agreeing with the local government that each of these 13 families will get one of the flats if there is a governmental employee as one of the families' members while families that have no governmental employees, the company will hire them. So both of the conflicting parties and the local government agreed to this option.

The Attachments

The Criteria and Legitimacy:

The Investment Company Criteria:

1. The contract between the company and the Local Authority.
2. The deposit that was paid in advance to the Local Government.
3. The Housing crisis which make such project as a common need that cannot be affected because the interests of 13 families.

The Other Party Criteria:

1. Being in the land for more than six years
2. The houses that they built in the land.
3. They have no other land ownership although they are Iraqi Citizens. Is there a law that makes this mandatory? Is this a common law in Iraq - citizens are entitled to land?

BATNAs:

Company Best Alternatives:

1. Claiming in the court for vacating the land.
2. Claiming against the Local Authority for contracting on used land as a kind of pressure to force them to vacate the land.
3. Ending the contract with the Local Government and looking for another province for investment.

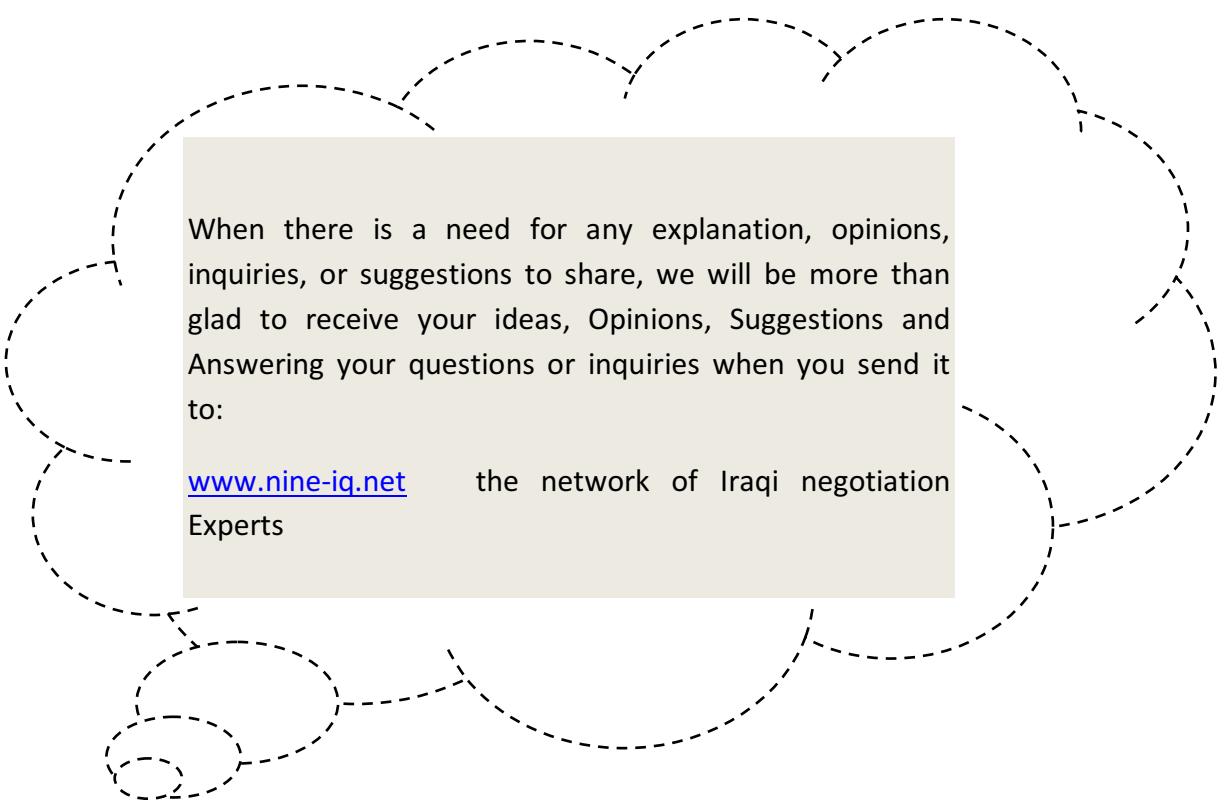
Families' Best Alternatives:

1. Resorting to their families for exacting pressure on the government and the company as well.
2. Claiming in the court, because they have already planted on the land.
3. Staying in the land in accordance with the prime minister order to keep them as they are unless the government provides them with a suitable home to live in. (this is also a criteria)
4. Fighting any party that may try to vacate the land even through violence.

The Attachments

Commitment:

Both of the conflicting parties have compared the offered option with their BATNAs and they found that the option satisfied their interests better than their alternatives, so they agreed on implementing the option in coordination with the Local Government.



When there is a need for any explanation, opinions, inquiries, or suggestions to share, we will be more than glad to receive your ideas, Opinions, Suggestions and Answering your questions or inquiries when you send it to:

www.nine-iq.net the network of Iraqi negotiation Experts

Conflict Management Toolkit

